

quantities of vitamins in the ordinary diet, that vitamin supplementation was therefore necessary; and that the article was nutritionally superior to such ordinary foods.

403(a)—the labeling of liquid vitamin for infants and children contained false and misleading representations that it was impossible for infants and children to consume adequate nutritional quantities of vitamins in the ordinary diet, that vitamin supplementation was therefore necessary; and that the article was nutritionally superior to such ordinary foods.

403(j)—when shipped, the vitamin A and D tablets and vitamin A and D and B₁₂ tablets purported to be and were represented as foods for special dietary uses by reason of their vitamin and mineral content, and their labels failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirement of vitamin A for infants and children supplied by such foods when consumed in a specified quantity during the period of one day.

The libel alleged also that the articles were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6496.

DISPOSITION: 10-27-60. Default—delivered to county institutions for use under a physician's instruction.

27742. Omin Plus iron phosphate tablets. (F.D.C. No. 44210. S. Nos. 85-709/11 P.)

QUANTITY: 6 tins of Lot No. 41701, 7 tins of Lot No. 41702, and 4 tins of Lot No. 41703, each tin containing 25,000 tablets, at Fishkill, N.Y.

SHIPPED: Between 2-11-59 and 2-16-59, from Worcester, Mass., by Brewer & Co., Inc.

LABEL IN PART: "Private Formula * * * Omin-Plus * * * Iron (Ferric) Phosphate 67 mg. (160% MDR)."

RESULTS OF INVESTIGATION: Analyses showed that the article contained approximately (Lot No. 41701) 55 percent, (Lot No. 41702) 58 percent, and (Lot No. 41703) 55 percent of the declared amounts of iron.

LIBELED: 2-11-60, S. Dist. N.Y.

CHARGE: 402(b)(1)—when shipped and while held for sale, the valuable constituent, iron, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Iron (Ferric) Phosphate 67 mg." was false and misleading.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6494.

DISPOSITION: 7-29-60. Default—destruction.

27743. Oro-Vita food supplement. (F.D.C. No. 44262. S. Nos. 84-053 P, 17-305 R.)

QUANTITY: 34 cases, each containing 6 ctns., each ctn. containing 360 mineral tablets and 180 vitamin tablets, at Salt Lake City, Utah, in possession of Oro-Vita Corp.; and 160 packages, each containing 2 ctns. of 360 mineral tablets and 180 vitamin tablets; 450 envelopes, each containing 4 mineral tablets and 2 vitamin tablets; 39 drums, each containing 21,239 mineral tablets and 21 drums, each containing 21,239 vitamin tablets, at Salt Lake City, Utah, in possession of "N" Products Co.

SHIPPED: 8-15-59 and 2-15-60, from Los Angeles, Calif.

LABEL IN PART: (Case) "Oro-Vita (Golden Life) Food Supplement With Special *Tramin Base Natural or Organic Minerals and Vitamins * * * *The special Tramin Base contains what many believe to be a unique nutritional discovery which contains some of mother nature's blended elements from the land, from the sea and from what used to be the bottom of the sea. Among these elements are Minerals and Vitamins * * * Formulated for and Distributed by Oro-Vita Corporation, Salt Lake City, Utah"; (ctn.) "Oro-Vita Food Supplement with special *Tramin Base Natural or Organic Minerals and Vitamins * * * 360 (Brown) Mineral Tablets 180 (Yellow) Vitamin Tablets * * * Oro-Vita Corporation, Salt Lake City, Utah"; (pkg.) "Oro-Vita (Golden Life) Food Supplement With Special *Tramin Base Natural or Organic Minerals and Vitamins * * * Distributed by Oro-Vita Corporation, Salt Lake City, Utah"; and (envelope) "Oro-Vita Food Supplement 1 Day Supply."

ACCOMPANYING LABELING: Loose repack labels for packages and cartons, as described above; leaflets entitled "What Charlie Morgan Learned About Minerals"; "Is Health Your Most Treasured Asset?"; reprints of a Reader's Digest article entitled "How To Prolong The Prime of Life"; reprints of a Pageant magazine article entitled "Vitamins Can Help You Live Longer"; and sales manuals entitled "Oro-Vita * * * Food Supplement."

RESULTS OF INVESTIGATION: The article was repacked into cases, packages, and envelopes by "N" Products Co., Salt Lake City, Utah, for Oro-Vita Corp., from the bulk containers shipped as described above.

LIBELED: 3-24-60, Dist. Utah.

CHARGE: 403(a)—while held for sale, the labeling which accompanied the article contained false and misleading representations that the food supplies generally available are inferior and do not contain adequate amounts of vitamins and minerals; that all ingredients of the article were natural and organic; that the unsaturated fatty acids, rutin, biotin, methionine, lemon bioflavonoids, orange hesperidin complex, chlorophyll, alfalfa juice concentrate, rose hips concentrate, food yeast, and prune concentrate in the article were vitamins and minerals, that the need in infant nutrition for niacin, iodine, iron, and calcium had not been established, that the need in human nutrition for vitamin E, potassium, chlorine, sodium and magnesium had not been established, that the article contained a so-called "Tramin Base," which was a unique nutritional discovery consisting of elements from the land, from the sea, and from what used to be the bottom of the sea, containing essential trace elements, including manganese, bromine, sulfur, zinc, fluorine, aluminum, arsenic, nickel, and silicon, and that all of the article's trace elements were interrelated and balanced against each other for near perfect function.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 6499.

DISPOSITION: 5-20-60. Consent—claimed by Oro-Vita Corp., Salt Lake City, Utah, and Neoco Corp., Los Angeles, Calif., and released under bond for re-labeling and salvaging in compliance with the law. The mineral tablets were subsequently destroyed, the vitamin tablets were reground; and the ground material was packed into drums and labeled.