

CHARGE: 402(a)(3)—contained crop material and fecal matter; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 11-13-58. \$500 fine.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

27041. Abundavita vitamin tablets, Abundavita mineral tablets, and Abundagreen. (F.D.C. No. 44197. S. Nos. 50-087/8 P, 50-622 P, 71-058/9 P.)

QUANTITY: 14 cases, each containing 12 btls., of Abundavita mineral tablets, 6 cases, each containing 24 1-lb. bags of Abundagreen; and 104 btls. of Abundavita vitamin tablets, at Cincinnati, Ohio, in possession of Bruce Helvie.

SHIPPED: On various dates during the latter part of 1959 and in January 1960, from Long Beach, Calif., by Abundavita Corp. of America.

LABEL IN PART: (Btl.) "Abundavita Food Supplement Mineral Tablets Natural or Organic * * * In an exclusive *Hunza Base (*Specially Prepared Selected Grasses Grown on the Hunza Farm in Natural Occurring Glacial Silt) * * * Formulated for and Distributed by Abundavita Corporation of America * * * Long Beach, California"; (bag) "All Purpose Abundagreen Natural Organic From Specially Prepared Selected Grasses Grown on the Hunza Farm in Natural Occurring Glacial Silt * * * Abundavita Corporation of America * * * Long Beach 5, Calif." and (btl.) "Abundavita Food Supplement Vitamin Tablets * * * Two tablets daily will supply * * * In an exclusive *Hunza Base (*Specially Prepared Selected Grasses Grown on the Hunza Farm in Natural Occurring Glacial Silt) * * * Abundavita Corporation of America * * * Long Beach 5, Calif."

ACCOMPANYING LABELING: Booklet entitled "A New Way of Life For You and Your Family"; leaflets entitled "A New Way of Life," "The Hunza Farm," "Abundavita Food Supplement" and "Abundavita Beverage"; window sign entitled "Don't Grow Old Too Young! Eat Hunza Grass and Abundavita"; and placards entitled "How Do You Feel . ." and "Most Economical * * * Abundavita and Hunza."

RESULTS OF INVESTIGATION: The window sign and the placards were prepared locally by or on behalf of the dealer and the booklet and leaflets were received by the dealer from or on behalf of the Abundavita Corp. of America.

CHARGE: 403(a)—when shipped and while held for sale, the labeling of the articles contained false and misleading representations that the food supplies generally available are nutritionally deficient and inferior and that they lack sufficient amounts of the vitamins and minerals contained in the articles, and that the articles would supply significant quantities of vitamins, minerals, and proteins to the diet in view of their content of "Hunza" grass; and

403(j)—the articles purported to be and were represented as foods for special dietary uses by reason of their vitamin or mineral content and by reason of the vitamin, mineral, and protein content of the "Hunza" grass contained in the articles, and their labels failed to bear, as required by the regulations (mineral tablets and Abundagreen), a statement of the minimum daily requirements of vitamin A, vitamin B₁, vitamin C, vitamin D, riboflavin, or niacin or niacinamide supplied by such foods when consumed in a specified quantity during a period of one day, and (Abundagreen and vitamin tablets) a

statement of the proportion of the minimum daily requirements for calcium, phosphorus, iron, or iodine, supplied by such foods when consumed in a specified quantity during a period of one day, and (all lots) a statement of the percent by weight of protein, fat, and available carbohydrates in such foods and the number of available calories supplied by a specified quantity of such foods.

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. 6217.

DISPOSITION: 5-25-60. Consent—claimed by Bruce Helvie, and ordered released under bond for relabeling.

27042. Food supplement tablets. (F.D.C. No. 43708. S. No. 13-704 P.)

INFORMATION FILED: 4-11-60, S. Dist. Calif., against Joseph L. Jones, t/a J. L. Jones & Co., Sun Valley, Calif.

ALLEGED VIOLATION: On 5-25-51, the defendant gave to a firm engaged in the business of shipping foods in interstate commerce, including foods supplied by the defendant, a guaranty to the effect that foods delivered by the defendant would not be adulterated within the meaning of the Federal Food, Drug, and Cosmetic Act.

On 10-24-58, the defendant caused to be invoiced and delivered to the holder of the guaranty at Glendale, Calif., a quantity of food supplement tablets which were adulterated.

RESULTS OF INVESTIGATION: The defendant delivered the article in purported fulfillment of a purchase order issued by the holder of the guaranty which order provided that each tablet should contain, among other things, 0.5 mcg. plus 10 percent vitamin B₁₂, 15 mg. plus 20 percent of vitamin C (Ascorbic Acid), 200 U.S.P. Units plus 40 percent of vitamin D, and 0.025 mg. plus 25 percent of iodine. Analysis showed that the article contained 50 percent of the vitamin B₁₂; 76 percent of the vitamin C; 40 percent of the vitamin D; and no iodine.

CHARGE: 402(b)(1)—valuable constituents, namely, vitamin B₁₂, vitamin C, vitamin D, and iodine, had been in part omitted from the article.

The information alleged also that two other articles, namely, thyroid-digitalis tablets and thyroid tablets, were adulterated under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6209.

PLEA: Nolo contendere.

DISPOSITION: 6-13-60. \$750 fine.

27043. LifAnu Food Supplement. (F.D.C. No. 44375. S. Nos. 74-216/9 P, 92-881 P.)

QUANTITY: 225 180-tablet btls., 225 360-tablet btls., and 14 display-type ctns., each containing 288 individually ctnd. 30-tablet btls., and 6 25,000-tablet drums, at Fort Worth, Tex., in possession of Lifanu Corp. of America.

SHIPPED: 11-6-58 and 3-2-59, from Long Island City, N.Y.

LABEL IN PART: (Btl.) "LifAnu Food Supplement * * * Containing fortified organic and natural Vitamins For use as a dietary supplement * * * Manufactured for and Distributed by Lifanu Corporation of America, 2613 Boston (4001 E. Lancaster) Fort Worth, Texas 38588"; (btl. in display-type ctn.)