

OLEOMARGARINE

27346. Margarine. (F.D.C. No. 45293. S. No. 3-416 R.)

QUANTITY: 528 cases, 30 1-lb. pkgs. each, at Washington, D.C.

SHIPPED: Between 11-12-60 and 12-12-60, from Hillside, N.J., by Kraft Foods.

LABEL IN PART: (Pkg.) "Important News! Parkay now has Extra Nourishment! * * * Kraft's Parkay * * * Margarine * * * 4 Quarters * * * New Parkay supplies you and your family with healthful extra nourishment . . . at no extra cost. In fact, new Parkay contains more Vitamin A, more Vitamin D, more protein, more calcium and more phosphorus, than any other leading spread.* New Parkay even contains important liquid vegetable oil! * * * Kraft Foods, Chicago 90, Ill., Div. National Dairy Products Corp."

LIBELED: 12-14-60, Dist. Columbia.

CHARGE: 403(a)—when shipped, the label statements "Extra Nourishing," "supplies you and your family with healthful extra nourishment" and "Extra Nourishment!" represented and suggested that the article contained a significantly greater nourishment than margarine and similar spreads generally available, which representations and suggestions were false and misleading since they were contrary to fact; and the label statement "In fact, new Parkay contains more Vitamin A, more Vitamin D, more protein, more calcium and more phosphorus, than any other leading spread," represented and suggested that the article was of greater nutritional value because it contained significantly greater amounts of vitamin A, vitamin D, protein, calcium, and phosphorus than margarine and other similar spreads generally available, and that the article contained significant amounts of protein, calcium, and phosphorus for special dietary use, which statement was false and misleading since it was contrary to fact; and 403(f)—the article was margarine, and the name of the food "Margarine" was not prominently placed on its label or labeling with such conspicuousness (as compared with other words, statements, designs or devices in the labeling), as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 6-2-61. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

27347. Bonaid tablets. (F.D.C. No. 45759. S. No. 20-522 R.)

QUANTITY: 12 cases, 12 600-tablet btl. each, at Detroit, Mich.

SHIPPED: 12-6-60, from Cleveland, Ohio, by Strong Cobb-Arner.

LABEL IN PART: (Btl.) "Bonaid * * * A Dietary Supplement for Prevention of Skeletal Decalcification Each tablet contains natural bone phosphate plus 200 U.S.P. units of vitamin D synthetic. * * * LM. & W. Product Co., Distributors Detroit, Mich."

LIBELED: 5-1-61, E. Dist. Mich.

CHARGE: 403(j)—when shipped, the article purported to be and was represented as a food for special dietary use by reason of its mineral content and its label failed to bear, as required by regulations, a statement of the quantity of calcium and phosphorus in a specified quantity of such food, and a state-

ment of the proportion of the minimum daily requirement for calcium and phosphorus supplied by such food when consumed in a specified quantity during a period of one day.

DISPOSITION: 6-15-61. Default—destruction.

27348. Calferamin capsules. (F.D.C. No. 45923. S. No. 12-649 R.)

QUANTITY: 253 100-capsule btls. at Milwaukee, Wis.

SHIPPED: 12-8-60, from Chicago, Ill.

RESULTS OF INVESTIGATION: Analyses showed that the article contained less than 50 percent of the declared amount of vitamin D.

LIBELED: 6-2-61, E. Dist. Wis.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin D, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Each Capsule Contains: * * * Vitamin D 400 U.S.P. Units" was false and misleading.

DISPOSITION: 6-22-61. Default—destruction.

27349. Nyal Geriatric Vitamin Capsules. (F.D.C. No. 45772. S. No. 34-371 R.)

QUANTITY: 60 100-capsule btls. and 42 50-capsule btls. at Yonkers, N.Y.

SHIPPED: During October 1960, from Elizabeth, N.J., by Pharmacaps, Inc.

LABEL IN PART: (Btl.) "Nyal Geriatric Vitamin Capsules with Vitamin B₁₂ and Folic Acid plus Minerals Ingredients in each capsule: * * * Riboflavin B₂—5 mg. * * * Vitamin B-12 3 mcg. * * * Folic Acid—0.5 mg. * * * As a dietary supplement * * * Average Dose: One capsule daily, or as directed * * * Nyal Company, Inc., Distributors New York, N.Y."

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 50 percent of the declared amount of riboflavin, and approximately 50 percent of the declared amount of vitamin B₁₂.

LIBELED: 5-19-61, S. Dist. N.Y.

CHARGE: 402(a)(2)(C)—when shipped, the article contained a food additive, namely, folic acid, which is unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409; 402(b)(1)—while held for sale, the valuable constituents, riboflavin and vitamin B₁₂, had been in part omitted or abstracted from the article; 403(a)—when shipped, the name "Geriatric Vitamin Capsule with Vitamin B₁₂ and Folic Acid plus Minerals" was false and misleading since it suggested and implied that the nutritional requirements of older people are different from adults generally, whereas, such is not the case; and the label statement "The need for dl-Methionine * * * potassium * * * in human nutrition has not been established" was false and misleading since it was contrary to fact; and 403(a)—while held for sale, the label statements "Riboflavin B₂—5 mg." and "Vitamin B-12—3 mcg." were false and misleading.

DISPOSITION: 6-7-61. Default—destruction.

27350. Slen-Cal 900 Calorie Food Concentrate. (F.D.C. No. 45705. S. No. 34-555 R.)

QUANTITY: 252 cans and 7 ctns. of bulk stock consisting of 6 unopened ctns. containing approximately 50 lbs., and 1 partially full carton, at Bronx, N.Y., in possession of Robert Daniels & Co., Inc.

SHIPPED: 11-28-60, from Jersey City, N.J.