

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.

LABEL IN PART: (Can) "Slen-Cal 900 Calorie Food Concentrate (rubber stamped "Chocolate Flavored") Dietary For Calorie Control Robert Daniels & Co., Inc. * * * New York, N.Y. * * * Slen-Cal is a Complete Food, nutritionally balanced, in powder form, combining blends of protein, fat, carbohydrate, vitamins and minerals. It contains no drugs or artificial bulk. * * * Ingredients: Lecithinated soya flour, sucrose, non-fat milk solids * * * Approximate Analysis Protein (NX 6.25) 30.83%; Fat 5.29%; Carbohydrate 53.3%."

RESULTS OF INVESTIGATION: Examination showed that the composition of the article varied widely, approximately as follows: protein, 70 percent to 95 percent; fat, 50 percent to 144 percent; calcium, 80 percent to 168 percent; phosphorous, 123 percent to 235 percent; and iron, 63 percent to 191 percent, of the declared amounts of these ingredients. The article in the cans was repacked by the dealer from bulk cartons shipped as described above.

LIBELED: 4-12-61, S. Dist. N.Y.

CHARGE: 402(b)(1)—while held for sale, the valuable constituents, protein, fat, calcium, and iron had been in part omitted or abstracted from the article; 403(a)—the label statements "Protein * * * 30.83%; Fat 5.29%; Carbohydrate 53.3%" and "One-half pound of powder supplies the following: * * * Calcium (2.0 Gm.) * * * Phosphorus (2.0 Gm.) * * * Iron (15.0 mg.) * * *" "Copper * * * Need in human nutrition has not been established"; "Slen-Cal is a Complete Food, nutritionally balanced"; and "Food Concentrate," were false and misleading since they were contrary to fact; and 403(i)(2)—the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient since "Lecithinated soya flour," "Sucrose" and "Non-fat milk solids," are not the common or usual names of those ingredients.

DISPOSITION: 4-27-61. Default—destruction.

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PRODUCTS

	N.J. No.		N.J. No.
Apricots, canned	27329	Dairy products	27320-27322
Barley malt	27314	Eggs, frozen	27323, 27324
malting	27315	incubator reject	27325
Beans, cacao	27316	Filberts, unshelled	27343
green, canned, cut	27336	Fish	27326-27328
Bonaid tablets	27347	Flick-ettes, chocolate-flavored	27316
Brazil nuts	¹ 27339	Flour	27301-27304
Butter	27320, 27321	corn	27301
Cacao beans	27316	Frog legs, frozen	27328
Calferamin capsules	27348	Fruits and vegetables	27329-27338
Candy. <i>See</i> Confectionary.		fruit, canned	27329, 27330
Cereals and cereal products	27301-27315	dried	27331-27333
Cheese, swiss	27322	vegetables and vegetable products	27334-27338
Chocolate and cocoa, sweet,		Honey	27319
ground	27316	Lettuce	27338
Confectionary	27317, 27318	Licorice	27318
Corn flour	27301	Macaroni	27312
Cornmeal	27301, 27312	Malting barley	27315

¹ (27339) Seizure contested. Contains opinion of the court.