DISPOSITION: April 10, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to local charitable institutions.

6585. Misbranding of Nog Vitamized Health Food. U. S. v. 136 Bottles of Nog Vitamized Health Food. Default decree of condemnation and destruction. (F. D. C. No. 11903. Sample No. 51819–F.)

LIBEL FILED: February 28, 1944, District of Massachusetts.

ALLEGED SHIPMENT: On or about November 11 and 24, 1943, by Nog, Inc., from Dunkirk, N. Y.

PRODUCT: 136 Bottles, each containing 1¼ pounds, of Nog Vitamized Health Food, at Boston, Mass.

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the statements on the label of the article which created the impression that use of the article would insure health, aid digestion, induce restful sleep, provide resistance to disease, and be of significant value in insuring growth, were false and misleading, since the article, when used as directed, would be of no special value for such purposes; and, Section 403 (j), it was represented as a food for special dietary uses by man by reason of its vitamin A, B, C, D and E content, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of vitamins A, B, C, and D and the quantity of vitamin E supplied by a specified quantity of the product when consumed during a period of 1 day, and a statement that the need for vitamin E in human nutrition has not been established.

DISPOSITION: March 27, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6586. Adulteration and misbranding of Nutraco No. 4. U. S. v. Amos Roe Beamon (Nutritional Aids Co.). Plea of guilty. Fine, $260. (F. D. C. No. 10607. Sample No. 43925–F.)

INFORMATION FILED: On December 16, 1943, in the Southern District of California, against Amos Roe Beamon (Nutritional Aids Co.), Los Angeles, Calif.

ALLEGED SHIPMENT: February 13 and 25, 1943, from the State of California into the State of Missouri.

PRODUCT: Analysis showed that each tablet contained not more than 8.43 grains of dicalcium phosphate, and not more than 2.0 U. S. P. Units of vitamin C.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), valuable constituents, dicalcium phosphate and vitamin C, had been in part omitted from the article since it purported to be and was represented to contain 10 grains of dicalcium phosphate per tablet and 100 International Units of vitamin C per tablet, whereas it contained smaller amounts of dicalcium phosphate and vitamin C.

Misbranding, Section 403 (a), the statements on the label, "Di-Calcium Phosphate 10 grains * * * Vitamin C 100 International Units," were false and misleading; Section 403 (i), the article was fabricated from two or more ingredients and its label did not bear the common or usual name of each ingredient since it contained an ingredient which was designated on the label as "Iso-tonic Compound," and its label failed to bear the common or usual name of the ingredient so designated; and, Section 403 (j), it purported to be and was represented for special dietary use by man by reason of its vitamin and mineral properties, and its label did not bear such information concerning the vitamin and mineral properties of the article as has been determined to be and by regulations prescribed as necessary in order fully to inform purchasers as to its value for such use, since its label did not bear a statement of the proportion of the minimum daily requirements for vitamins D and C and calcium and phosphorus which would be supplied by the article when consumed in a specified quantity during a period of 1 day.

DISPOSITION: On January 10, 1944, a plea of guilty was entered. On January 24, 1944, a fine of $250 on count 2 and $10 on count 3 was imposed.

6587. Adulteration and misbranding of concentrated orange juice. U. S. v. 49 Cases of Concentrated Orange Juice. Default decree of condemnation. Product ordered delivered to a Federal agency. (F. D. C. No. 11629. Sample No. 53614–F.)

LIBEL FILED: January 21, 1944, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 11, 1943, by Fruit Products of America, from Los Angeles, Calif.