

"Helio Minerals were prepared to supply minerals in large enough amounts to be of real value," were false and misleading since the article was prepared from seaweed (kelp), alfalfa, and parsley leaves, products which do not contain an unusual proportion of mineral constituents, and, when taken as directed, it would supply but a small fraction of the minerals now known to be essential to nutrition.

Further misbranding, Section 403 (a), the statements in an accompanying circular entitled "Feel Better Look Better Helio Minerals and Helio Natural B-Complex" were false and misleading since they represented and suggested that the article was effective, either alone or in combination with vitamin B-complex, to fulfill the promises of benefits stated and implied therein, that is, that the article would enrich the blood, soothe the nerves, add energy, and repair the body; that it would make the user feel better and look better; and that it would increase resistance to disease, protect the bones and teeth, strengthen the heart and nerves, insure good digestion, keep tissues flexible and active, prevent poor muscular control, neutralize excess acids, produce internal cleanliness, aid in the treatment of rheumatism, skin, and other diseases, help one to sleep better, stimulate the appetite, regulate constipation, prevent neuritis, premature aging, cracking of lips, loss of hair, atrophy of oil glands, and loss of weight, promote growth, strengthen vision, courage, and morale, restore color to graying hair, and reduce dark coloring in birthmarks and freckles, whereas, the article was not so effective; and, Section 403 (i), the article was fabricated from two or more ingredients and its label failed to bear the common or usual name of each such ingredient.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1131.

DISPOSITION: September 20, 1943. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6795. Adulteration and misbranding of Minavit No. 1. U. S. v. 65 Bottles of Minavit No. 1. Default decree of condemnation and destruction. (F. D. C. No. 11582. Sample No. 39764-F.)

LIBEL FILED: January 14, 1944, District of Arizona.

ALLEGED SHIPMENT: On or about August 2, 1943, by the Soltan Corporation, Los Angeles, Calif.

PRODUCT: 65 bottles of Minavit No. 1 at Tucson, Ariz.

Examination of a sample showed that the article contained not more than 750 units of vitamin A, not more than 600 units of vitamin D, and not more than 52 gamma of iodine per tablet.

LABEL, IN PART: "Minavit No. 1 Each tablet contains approximately: Vitamin A "1500 U. S. P. Units * * * Vitamin D 1000 U. S. P. Units * * * Iodine 365 gamma."

VIOLATIONS CHARGED: Adulteration, Section 402(b)(1), valuable constituents, vitamin A, vitamin D, and iodine, had been in part omitted from the article.

Misbranding, Section 403(a), the label statements, "Each tablet contains approximately: Vitamin A 1500 U. S. P. Units * * * Vitamin D 1000 U. S. P. Units * * * Iodine 365 gamma," were false and misleading since the article did not contain the declared amounts of vitamins and iodine; and, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by man by reason of its vitamin and mineral content, and its label did not bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of vitamin A, vitamin C, vitamin D, thiamine hydrochloride, riboflavin, calcium, iron, and iodine, supplied by the article when consumed in a specified quantity during the period of 1 day; and the statement that the need for vitamin B₆ and vitamin E in human nutrition has not been established.

DISPOSITION: February 21, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6796. Misbranding of Macu Brand Papaya Concentrate. U. S. v. 12 Bottles and 4 Bottles of Papaya Concentrate. Default decree of destruction. (F. D. C. No. 10142. Sample No. 43991-F.)

LIBEL FILED: On or about June 28, 1943, Western District of Missouri.

ALLEGED SHIPMENT: On or about April 19, 1943, by Macu Fruit Products, from Chicago, Ill.

PRODUCT: Papaya Concentrate: 12 1-quart bottles and 4 1-gallon bottles at Kansas City, Mo.

LABEL, IN PART: "Macu Brand Papaya Concentrate."

VIOLATION CHARGED: Misbranding, Section 403(a), the name "Papaya Concentrate" was false as applied to the article, which consisted of a mixture of papaya pulp, crushed seeds, fruit acids, flavoring, and sugar; and certain statements appearing on its label and in the circular entitled "Drink Papaya (Fruta Bomba)" were false and misleading since they represented and suggested that the article, when used as directed, was a rich source of vitamins; that it was a valuable aid to digestion; and that it would be of value in such conditions as gastritis, diphtheria, ulcers, bowel disorders, dyspepsia, croup, cancer, and gastric fermentation, whereas the article, when used as directed, was not a rich source of vitamins, a valuable aid to digestion, or of value in the conditions mentioned.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in the notices of judgment on drugs and devices, No. 1126.

DISPOSITION: July 30, 1943. No claimant having appeared, judgment was entered ordering that the product be destroyed.

6797. Misbranding of Pretorius Nezets and Pretorius Virvets. U. S. v. 36 Bottles of Pretorius Nezets, 18 Bottles of Pretorius Virvets, and 6 Display Charts. Default decree of condemnation and destruction. (F. D. C. No. 12138. Sample Nos. 57838-F, 57839-F.)

LABEL FILED: April 4, 1944, District of Colorado.

ALLEGED SHIPMENT: On or about January 26 and February 22, 1944, by Pretorius Approved Products, from Los Angeles, Calif.

PRODUCT: 36 bottles, each containing 180 tablets, of Pretorius Nezets, 18 bottles, each containing 250 tablets, of Pretorius Virvets, and 6 display charts entitled "The Pretorius 'Improve Your Health System' Food Chart for Balancing Meals," at Denver, Colo.

LABEL, IN PART: "Pretorius Nezets A Natural Source of Food Minerals," or "Pretorius Virvets A Natural Source of Food Vitamins."

VIOLATION CHARGED: Misbranding, Section 403 (a), because of false and misleading statements on the charts, which represented and suggested that it was necessary to supplement the ordinary food intake with Nezets and Virvets in order to insure adequate vitamin and mineral intake, and that if this was done improved health would follow.

DISPOSITION: May 26, 1944. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

6798. Misbranding of Vitalert. U. S. v. 334 Boxes of Vitalert. Default decree of condemnation. Product ordered delivered to a government hospital. (F. D. C. No. 11194. Sample No. 57114-F.)

LABEL FILED: November 30, 1943, Eastern District of New York.

ALLEGED SHIPMENT: On or about August 31, 1943, by J. E. Trautman & Associates, Inc., Columbus, Ohio.

PRODUCT: 334 boxes of Vitalert at Brooklyn, N. Y.

Each box contained 6 small, round pills, fixed in place between 2 strips of cellophane. The box could have held approximately 50 unwrapped pills, and could easily have held at least 18 pills in folded cellophane strips. The statement "6 Vitalerts" was inconspicuously placed on the ends of the box.

LABEL, IN PART: "Super Seal Vitamins High Potency Brand Vitalert * * * Vitamin A 5000 U. S. P. Units Vitamin B₁ (Thiamin HCL) 3 Mgm. Vitamin B₂ (Riboflavin) 2 Mgm. Vitamin B₆ (Pyridoxine) .25 Mgm. Vitamin C (Ascorbic Acid) 30 Mgm. Vitamin D (Viosterol) 500 U. S. P. Units Calcium Panthothenate 1 Mgm. Niacin Amide 20 Mgm."

VIOLATIONS CHARGED: Misbranding, Section 403 (d), the container was so filled as to be misleading since its size would indicate that many more pills were contained therein than there actually were; Section 403 (a) because of false and misleading statements on the label, which represented and suggested that use of the article would insure vim, vigor, vital alertness, and health; and that it would balance the dietary intake of the individual when used as a supplement; Section 403 (f), the statement of the quantity of the contents of