

**ALLEGED SHIPMENT:** On or about April 13, 1953, by the Jamieson Pharmacal Co., from Glendale, Calif.

**PRODUCT:** 27 dozen 100-capsule bottles of multiple vitamin capsules at Grand Junction, Colo. Examination showed that the product contained 60 percent of the declared amount of vitamin D.

**LABEL, IN PART:** "Medi-Vita Medicinal Potency Multiple Vitamins \* \* \* Each Capsule Contains: \* \* \* 1,200 U. S. P. Units Vitamin D (Activated Ergosterol)."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each Capsule Contains: \* \* \* 1,200 U. S. P. Units Vitamin D" was false and misleading as applied to the article, which contained less than 1,200 U. S. P. units of vitamin D per capsule.

**DISPOSITION:** August 18, 1953. Default decree of condemnation. The court ordered that the product be delivered to a Federal institution for its use and not for sale.

**20898. Misbranding of vitamin and mineral tablets. U. S. v. 12 Bottles, etc.**  
(F. D. C. No. 34884. Sample Nos. 40638-L to 40648-L, incl.)

**LABEL FILED:** March 16, 1953, Western District of Washington.

**ALLEGED SHIPMENT:** On various dates, on and after October 14, 1952, by J. M. Sleighter, from Salem, Oreg.

**PRODUCT:** 12 bottles of the \$12.00-size, 41 bottles of the \$5.00-size, and 41 cartons of the sample size of Elemin mineral tablets; 3 bottles of the \$12.00-size and 25 bottles of the \$5.00-size of multiple vitamin tablets; 6 cartons of the \$9.00-size and 5 cartons of the \$30.00-size of an article designated as "Royal Formula" and containing a number of Elemin mineral tablets and a number of multiple vitamin tablets; and 7 cartons of the \$21.00-size and 4 cartons of the \$12.00-size of an article designated as "Supreme Formula" and containing a number of Elemin mineral tablets and a number of multiple vitamin tablets, at Seattle, Wash., together with a number of accompanying leaflets, circulars, and booklets entitled "Elemin Mineral Tablets," "Elemin Mineral Tablets and Royal Formula Multiple Vitamins," "Elemin Mineral Tablets and Supreme Formula Multiple Vitamins," "Mineral Chart," "It's Later Than You Think Watch Your Diet," "Health Facts You Should Know! Elemin Mineral tablets \* \* \*," "Health Facts You Should Know. Compiled by A. Goeke," "Facts You Should Know," "Did You Know That 999 out of every 1000 people lack the proper nutrition," "Young Middle Aged and Elderly People!" "The Following is a Reprint of a Published Article, For Informative and educational purposes only, *not to be used in the sale of any product*," "Soil A Foundation of Health," and "Modern Miracle Men," all of which contained statements relating to the articles.

**RESULTS OF INVESTIGATION:** Some of the leaflets, circulars, and booklets mentioned above were shipped by J. M. Sleighter from Salem, Oreg., on various dates during 1951, 1952, and 1953, and some of the material was printed locally on the order of Loran S. Stone of Seattle, Wash., the consignee of the products, or obtained by him from a supplier in Milwaukee, Wis.

**LABEL, IN PART:** (Elemin Mineral Tablets) "As a Source of the Minerals Iron and Iodine Contains: Iodine and Iron as naturally present in dehydrated

kelp, iron gluconate and a sedimentary mineral deposit, with excipients \* \* \* Four Tablets Per Day Will Provide: Iodine—Not less than 0.2 milligrams 200% minimum daily adult requirements. Iron—Not less than 30.0 milligrams 300% minimum daily adult requirements. \* \* \* The ingredients in this product are from dehydrated kelp, iron gluconate and sedimentary mineral deposits"; (\$12.00-size and \$5.00-size) "Manufactured for Morgan & Bush, Inc. 415 Brower Bldg., Bakersfield, Calif. Distributed Exclusively By—G & J Distributors 1945 Grove St., Berkeley 4, California"; (sample size) "Distributed by G & J Distributors 1945 Grove St., Berkeley 4, Calif."

(G & J Formula No. 701 [or 601] multiple vitamins) "Each 2 Tablets Will Supply: Vitamin A \* \* \* . . . 5,000 U. S. P. Units Vitamin D \* \* \* . . . 1,000 U. S. P. Units Vitamin B<sub>1</sub> \* \* \* . . . 3.0 Mg. Vitamin B<sub>2</sub> \* \* \* . . . 2.0 Mg. Vitamin B<sub>6</sub> \* \* \* . . . 1.0 Mg. Vitamin B<sub>12</sub> . . . 1.0 Mcg. Vitamin C \* \* \* . . . 50.0 Mg. Vitamin E \* \* \* . . . 3.0 Mg. Niacinamide . . . 20.0 Mg. Calcium Pantothenate . . . 5.0 Mg. Concentrated Beef Liver Extract . . . 65.0 Mg. Mfd. for G & J Distributors Dist by 1945 Grove Street Berkeley 4, California \* \* \* G & J Multiple Vitamin Tablets are formulated as a convenient source for increasing intake of listed ingredients."

(Royal Formula) "Elemin \* \* \* Mineral Tablets As a Source of the Minerals Iron and Iodine Contains: Iodine and Iron as naturally present in dehydrated kelp, iron gluconate and a sedimentary mineral deposit with excipients \* \* \* G & J Multiple Vitamins \* \* \* 2 Tablets Daily Will Supply: MDR Vitamin A \* \* \* 10,000 USP Units 250% Vitamin D \* \* \* 1,000 USP Units 250% Vitamin B<sub>1</sub> \* \* \* 3.0 Mg. 300% Vitamin B<sub>2</sub> \* \* \* 2.0 Mg. 100% Vitamin B<sub>6</sub> \* \* \* 1.0 Mg. Vitamin B<sub>12</sub> \* \* \* 1.0 Mcg. Vitamin C \* \* \* 50.0 Mg. 166% Vitamin E \* \* \* 3.0 Mg. Niacinamide 20.0 Mg. Calcium Pantothenate 5.0 Mg. Choline \* \* \* 10.0 Mg. Inositol 10.0 Mg. Chlorophyll 1.0 Mg. Para Aminobenzoic Acid 5.0 Mg. Rutin 1.0 Mg. Conc. Beef Liver Extract 65.0 Mg. Plus other B-Complex factors from natural sources, (Yeast and Liver) With excipients and Binders. \* \* \* Distributed by G & J Distributors 1945 Grove St.—Berkeley 4, Calif."

(Supreme Formula) "Elemin \* \* \* Mineral Tablets As a Source of the Minerals Iron and Iodine Contains: Iodine and Iron as naturally present in dehydrated kelp, iron gluconate and a sedimentary mineral deposit with excipients, and artificial color added to coating. 4 Tablets per day (suggested daily intake) will provide: Iodine—not less than 0.2 Mg. 200% minimum daily adult requirement. Iron—not less than 30.0 Mg. 300% minimum daily adult requirement. Distributed by G & J Distributors 1945 Grove St.—Berkeley 4, Calif. 2 Tablets daily will supply: MDR Vitamin A . . . 25,000 USP Units 625% Vitamin D . . . 1200 USP Units 200% Vitamin B<sub>1</sub> . . . 8.0 Mg. 800% Vitamin B<sub>2</sub> . . . 5.0 Mg. 250% Vitamin B<sub>6</sub> . . . 2.0 Mg. Vitamin B<sub>12</sub> . . . 1.0 Mcg. Vitamin C . . . 150.0 Mg. 500% Vitamin E . . . 10.0 Mg. Niacin . . . 10.0 Mg. Niacinamide . . . 40.0 Mg. Calcium Pantothenate . . . 10.0 Mg. Inositol 10.0 Mg. Choline . . . 10.0 Mg. Para Aminobenzoic Acid . . . 10.0 Mg. Rutin . . . 1.0 Mg. Folic Acid . . . 1.0 Mg. Chlorophyll . . . 1.0 Mg. Alfalfa Concentrate, Excipients, Binders, and Artificial Color in Coating."

NATURE OF CHARGE: Misbranding, Section 403 (a), the labeling of the articles, namely, the above-mentioned leaflets, circulars, and booklets, was false and misleading since the representations and suggestions made in such labeling were contrary to fact. The labeling when taken as a whole, as well as in specific statements, and when read in the light of the setting in which such labeling

was intended to be read, conveyed to the public a meaning which represented and suggested—

(a) That malnutrition is the only disease; that the causes of fatal diseases are not germs but food consumed; that Americans occupy a low position in the national health scale; that 99% of Americans are suffering from mineral deficiencies resulting in sickness, suffering, and the shortening of life; that complete health requires, in addition to a wide variety of natural foods, supplementary vitamins and minerals; that a balanced and fully nourishing diet must contain boron, zinc, and cobalt; that millions of Americans are suffering from rheumatism, heart disease, arthritis, and other diseases resulting from faulty nutrition; that vast areas of soil do not contain needed minerals, and, as a consequence, people and also animals subsisting on crops grown on such soil are starving, weak, and increasingly suffering from degenerative diseases, including high blood pressure, heart trouble, tumor, cancer, rheumatism, and many other diseases; and that such consequences can be prevented by the ingestion of Elemin tablets and G & J multiple vitamins tablets;

(b) That vitamin and mineral supplementation of the ordinary diet, such as the vitamins and minerals supplied by Elemin tablets and G & J multiple vitamins tablets is needed to prevent mental disease, cancer in newborn infants, and poliomyelitis;

(c) That Elemin tablets and G & J multiple vitamins tablets constitute an effective remedy for varicose veins;

(d) That sodium is an alkalizer and a digestive, it enables the body to take up iron, and it prevents catarrh and hardening processes; its lack causes iron insufficiency, indigestion, and old age deposits; sulfur purifies and tones up the system, makes hair glossy, and promotes bile secretion; its lack causes piling up of impurities, and failure of the liver to function normally; potassium heals, balances, activates, relieves pain, helps prevent constipation, stimulates the liver, and renders tissues elastic; its lack causes constipation, pimples, failure of sores to heal, and liver disorders; magnesium is refreshing, promotes sleep, gives control of the nervous system and recuperation, and aids the complexion; its lack causes restlessness, excess acidity, and nervous conditions; iodine regulates the glands and protects the brain from body toxins; chlorine keeps joints and tendons supple, helps prevent pyorrhea, autointoxication, and excess fat; its lack causes undue accumulation of waste matter; fluorine acts as an antiinfective agent and helps prevent bone disease; its lack causes bad eyesight, pyorrhea, and susceptibility to infection; silicon makes tissues lithe and supple, the hair glossy, and the eyesight and complexion bright; its lack causes baldness, gray hair, bad complexion, and skin trouble; manganese promotes proper nutrition and fertility and activates other minerals; its lack causes sterility, lameness, and poor joints; and that such minerals supplied by Elemin tablets would accomplish the results stated and implied; would correct the conditions and deficiencies enumerated; and would supply such minerals to prevent such conditions and deficiencies from occurring;

(e) That a clay, described in the labeling as "sedimentary mineral deposit" occurring near Panaca, Nev., used as an ingredient of Elemin tablets contributed significantly to the diet of the user.

The above-mentioned articles were misbranded while held for sale after shipment in interstate commerce. The articles were alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 4233.

DISPOSITION: May 18, 1953. Default decree of condemnation and destruction.