contained a complete selection of amino acids not found elsewhere; contained all vitamins hitherto known and several unknown, in perfect proportion; and contained concentrated strengthening substances.

The libel charged also that the article was misbranded under the provisions of the law applicable to drugs and devices as reported in notices of judgment on drugs and devices, No. 5990.

DISPOSITION: 5–5–59. Default—destruction.

26734. Energol Germ Oil Concentrate. (F.D.C. No. 43317. S. No. 52–100 P.)

QUANTITY: 5 8-oz. btls. and 50 16-oz. btls. at Minneapolis, Minn.

SHIPPED: Between 12–18–58 and 5–4–59, from York, Pa., by York Barbell Co.

LABEL IN PART: "Hoffman's Energol Germ Oil Concentrate * * * Mfg. by Bob Hoffman, York Barbell Co. York, Pa. * * * a blend of Wheat Germ Oil, Soy Oil, and Rice Germ Oil."

ACCOMPANYING LABELING: Leaflets entitled "Energol Hoffman's Germ Oil Concentrate."

LIBELED: 7–28–59, Dist. Minn.

CHARGE: 403(a)—when shipped and while held for sale, the labeling of the article contained statements which represented and suggested that the article would contribute athletic and body-building ability, and be an invigorator to the user; that it would promote the growth of children; that linoleic acid, choline, inositol, and vitamin E are essential in human nutrition; that the linoleic acid in the article was essential in human nutrition in the formation of nerves, glands, the sex and adrenal hormones, and the corpuscles of the blood, and for muscle and body growth; that the vitamin E was essential in human nutrition for life and sex functioning, including proper ovulation, reproduction, and lactation in the female, and for sexual vigor and ability in the male; that it would give one super-health, strength, muscle, energy, added weight, muscular coordination and endurance; supply the materials needed for all cell construction; act as an "oxygen accelerator"; result in longevity, improvement in morale, and general well-being; give one the feelings, capabilities and appearances of youth; and retain normal sex functions to a late age, which statements were false and misleading since the need for linoleic acid, choline, inositol, and vitamin E in human nutrition has not been established, and the article was not capable of fulfilling the promises of benefit made for it; and 403(j)—the article purported to be and was represented as a food for special dietary uses by reason of its vitamin content and its label failed to bear as required by regulations, a statement that "The need for linoleic acid, choline, inositol, and vitamin E in human nutrition has not been established."

The article was 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. 6059.

DISPOSITION: 11–4–59. Consent—claimed by Pavo Co., Inc., Minneapolis, Minn., and relabeled.

26735. Homicebrin. (F.D.C. No. 41978. S. No. 31–203 P.)

QUANTITY: 23 btls. at Brooklyn, N.Y.

SHIPPED: Prior to May 1958, from outside the State of New York.

LABEL IN PART: (Btl.) "60cm^3 Homicebrin M–17 * * * (Vitaminas Homogenizadas)."