

**ACCOMPANYING LABELING:** Pamphlets entitled "7/Eleven Multiple Mineral, Vitamin and Protein Tablets" and a number of loose bottle labels.

**RESULTS OF INVESTIGATION:** The tablets in the metal containers were to be packed into bottles labeled as described above. The bottle labels and the pamphlets were prepared and printed by the dealer for use in promoting sales of the tablets.

**LIBELED:** 2-11-59, E. Dist. Pa.

**CHARGE:** 403(a)—while held for sale, the labeling of the article, namely, the above-mentioned bottle labels and pamphlets, contained false and misleading representations that the article contained substantially significant amounts of various vitamins, minerals, and proteins; that the total constituents of the article could be measured in terms of units of the U.S. Pharmacopeia; and that the article had nutritional properties which would: prevent and correct all illness and poor health; generate health, pep, energy, virile strength and vigor; prevent deficiency diseases; supply the requirements for basic and essential nutrition; and prevent infection, old age, fatigue and disease; and 403(j)—the article purported to be and was represented as a food for special dietary uses by reason of its vitamin, mineral, and protein content, and its label failed to bear, as required by regulations, a statement of the dietary properties upon which such dietary uses were based.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6067.

**DISPOSITION:** 1-4-60. Default—destruction.

**26742. Vitamins.** (F.D.C. No. 44670. S. No. 6-314 R.)

**QUANTITY:** 24 ctns., each containing 11 boxes, containing 31 individually wrapped tablets, at Providence, R.I.

**SHIPPED:** 1-18-60, from Boston, Mass., by Boston Pharmacal Co.

**LABEL IN PART:** (Box top) "One Month's Supply of Vitamins the candy flavored multivitamin \* \* \* Boston Pharmacal Co., A Div. of Brady Associates, Inc., Boston, Mass."

**RESULTS OF INVESTIGATION:** Examination showed that the article contained less than 50 percent of the declared amount of vitamin B<sub>12</sub>, and approximately 70 percent of the declared amount of vitamin C.

**LIBELED:** 6-21-60, Dist. R.I.

**CHARGE:** 402(b)(1)—while held for sale, the valuable constituents, namely, vitamin B<sub>12</sub> and vitamin C, had been in part omitted or abstracted from the article; 403(a)—while held for sale, the label statement "Each tablet contains: \* \* \* B-12 (from cobalamin conc.) 2 meg. C Ascorbic Acid 30 mg." was false and misleading; and when shipped, the name "Vitamins" and the label vignette of confectionery were false and misleading, since such name and vignette suggested and implied that the article was confectionery, whereas, the article was not confectionery, and the label statement "Good Health" was false and misleading since such statement suggested and implied that use of the article would develop good health, whereas, the article would not develop good health; and 403(j)—when shipped, the article purported to be and was represented as a food for special dietary uses by reason of its vitamin and mineral content, and its label failed to bear, as required by regulations, the statement "The need for calcium pantothenate, cobalt, molybdenum, man-

ganese, and zinc in human nutrition has not been established" and also a statement of the proportion of the minimum daily requirement for iron or iodine supplied by such food when consumed in a specified quantity during a period of one day.

DISPOSITION: 7-18-60. Default—delivered to a public institution.

26743. Vitamin capsules. (F.D.C. No. 44073. S. No. 80-398 P.)

QUANTITY: 2 15,000-capsule bulk ctns., 20 200-capsule btls., and 10 300-capsule btls. at Hammond, Ind.

SHIPPED: 9-18-59, from Detroit, Mich.

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 77 percent of the declared amount of vitamin B<sub>1</sub>.

The article in the bottles had been repacked at Hammond, Ind., from bulk stock which had been shipped as described above.

LIBELED: 2-29-60, N. Dist. Ind.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin B<sub>1</sub>, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Thiamine Mononitrate 3 MG" was false and misleading.

DISPOSITION: 5-6-60. Default—destruction.

26744. Vitamin and mineral capsules. (F.D.C. No. 43283. S. No. 63-656 P.)

QUANTITY: 2 ctns. containing 26,500 capsules in bulk, 88 30-capsule unlabeled vials, and 34 30-capsule labeled vials, at Holyoke, Mass., in possession of Vitamin Center.

SHIPPED: The vitamin capsules were shipped in bulk on 3-17-59, from Newark, N.J.

LABEL IN PART: (Ctn.) "Vitamin Center Formula #76"; (vial) "Vitamin Center 30 Capsules FORMULA #76 Vitamin A \* \* \* 12,500 USP Units 312% Vitamin D \* \* \* 1,000 USP Units 250% Vitamin B-1 \* \* \* 5 MGM 500% Vitamin B-2 \* \* \* 25 MGM 208% Vitamin B-6 \* \* \* 0.5 MGM \* \* \* Vitamin B-12 USP 1 MGM \* \* \* Vitamin C \* \* \* 75 MGM 250% Niacinamide USP 40 MGM 400% Calcium Pantothenate 4 MGM \* \* \* Vitamin E \* \* \* 2 I.U. \* \* \* Folic Acid USP 0.5 MGM \* \* \* DiCalcium Phosphate (A) 260 MG Calcium 75 MGM 10% Phosphorus 58 MGM Choline Bitartrate 31.4 MG Inositol 15 MG Di-Methionine 10 MG Ferrous Sulphate USP 102 MG Iron 30 MGM Cobalt Sulphate 0.193 MG Cobalt 0.04 MGM Copper Sulphate 1.257 MG Copper 0.45 MGM Magnesium Sulphate 1.573 MG Manganese 0.5 MGM Sodium Molybdate 0.253 MG Molybdenum 0.1 MGM Potassium Iodide USP 0.099 MG Iodine 0.075 MGM Potassium Sulphate 4.458 MG Potassium 2 MG Zinc Sulphate 1.388 MG Zinc 0.5 MGM Magnesium Sulphate 21.583 MG Magnesium 3 MGM \* \* \* Vitamin Center, Granby, Mass."

ACCOMPANYING LABELING: A guaranty card; leaflets entitled "The Magic Power" and "Yours for Good Health"; form letters on the letterhead of the Vitamin Center plant, Granby, Mass., beginning with the words "Dear Friend: It is gratifying to know," "Dear Friend: If I could have had breakfast with you," "Dear Friend: We appreciate the opportunity"; and a number of loose vial labels.

RESULTS OF INVESTIGATION: The article in the vials was repacked by Vitamin Center from the bulk stock which was shipped as described above. The above-mentioned accompanying labeling was prepared by Vitamin Center.