26793. Sesame seeds. (F.D.C. No. 44749. S. No. 7–455 R.)

QUANTITY: 9 100-lb. bags at Everett, Mass.

SHIPPED: 4–25–60, from New York, N.Y.

LIBELED: 8–3–60, Dist. Mass.

CHARGE: 402(a)(3)—contained rodent excreta pellets while held for sale.

DISPOSITION: 9–19–60. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

26794. Hy-B-One Plus tablets. (F.D.C. No. 43774. S. No. 79–322 P.)

QUANTITY: 70 50-tablet btls. at Detroit, Mich.

SHIPPED: 7–16–59, from Glendale, Calif.

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 70 percent of the declared amount of Vitamin B_1.

LIBELED: 10–22–59, E. Dist. Mich.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin B_1, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Vitamin B_1 50 mg." was false and misleading.

DISPOSITION: 1–11–60. Default—destruction.

26795. Brewers' yeast flakes. (F.D.C. No. 44389. S. Nos. 85–873 P, 33–023 R.)

QUANTITY: 7 cases, 12 6-oz. jars each, and 16 cases, 6 12-oz. jars each, at New York, N.Y.

SHIPPED: 11–16–59, from Los Angeles, Calif., by Vegetrates Co.

LABEL IN PART: (Jar) "Vegetrates Brewers' Yeast Flakes Type V–200 (Readily miscible) Concentrated food protein and a potent natural source of Vitamin B-Complex. Pure, primary grown cultured Brewers' Yeast Flakes of high vitamin content, scientifically standardized. * * * Contains the following potencies: * * * Distributed by Vegetrates Company, Los Angeles, California."

ACCOMPANYING LABELING: Circulars entitled "Original Vegetrates V–200 Brand Brewers' Yeast Flakes."

LIBELED: On or about 4–26–60, S. Dist. N.Y.

CHARGE: 403(a)—(6-oz. jar) when shipped, the label statement "Hi-Potency" was false and misleading since the potencies of vitamins, minerals, and amino acids in the article were not high; and (both size jars) the label declaration of potencies of the vitamin content of the article in micrograms was misleading in that it exaggerated the contribution of the vitamins in the article as a food supplement to the diet; the label statements "The minimum daily requirement for niacin has not been established" and "The need for vitamin B_6 * * * folic acid * * * in human nutrition has not been established" were false and misleading since they were contrary to fact; the label statement "essential Amino Acids—Arginine, Histidine * * *" was false and misleading since arginine and histidine are not regarded as indispensable for humans; the labeling accompanying the article, namely, the circular entitled "Original Vegetrates V–200 Brand Brewers' Yeast Flakes," contained false and misleading representations and suggestions that the article was adequate and effective to provide marvelous strength in proteins, carbohydrates, vitamins, min-