

would be supplied by the product when consumed in a specified quantity during a period of one day, and a statement of the amount of vitamins contained in the product for which minimum daily requirements have not been established; and its label failed to bear with respect to its mineral properties a statement of the proportion of the minimum daily requirement for calcium, iron, phosphorus, and iodine which would be supplied by the product when consumed in a specified quantity during a period of one day.

DISPOSITION: August 23, 1948. Pleas of guilty having been entered, imposition of sentence was suspended for 1 year and the defendants were placed on probation for that period of time.

888. Misbranding of Nova-Kelp. U. S. v. Johnstone Drug Sales Corp. and Frederick W. Clements. Pleas of nolo contendere. Fines of \$250 against each defendant. Payment of fine against corporation suspended. (F. D. C. No. 24236. Sample No. 39024-H.)

REL FILED: March 17, 1948, Western District of New York, against the Johnstone Drug Sales Corp., Rochester, N. Y., and Frederick W. Clements president.

ALLEGED SHIPMENT: Between the approximate dates of April 16, 1945, and March 20, 1947, from the State of New York into the State of Michigan.

REL, IN PART: "Nova-Kelp * * * A Deep-Sea Edible Plant * * * Sole Owners and Distributors Nova-Kelp Company, Ltd., Rochester, New York."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "rich in * * * Calcium, Copper, Sodium, Magnesium, Potassium, Phosphorus" was false and misleading since the article was not rich in calcium, copper, sodium, magnesium, potassium, and phosphorus.

Further misbranding, Section 403 (j), the article purported to be and was represented for special dietary uses by man by reason of its mineral properties with respect to iodine, iron, calcium, copper, sodium, magnesium, potassium, and phosphorus. Its label failed to bear as required by regulations a statement of the proportion of the minimum daily requirements for calcium, phosphorus, iodine, and iron which would be supplied by the article when consumed in a specified quantity during a period of one day; and its label failed also to bear as required by regulations a statement of the quantity of copper, sodium, magnesium, and potassium in a specified quantity of the article, which quantities are the amounts customarily and usually consumed during a period of one day, or quantities reasonably suitable for and practicable for consumption in such period.

DISPOSITION: August 9, 1948. Pleas of nolo contendere having been entered, the court imposed a fine of \$250 against each defendant. Payment of the fine against the corporation was suspended.

889. Misbranding of saccharin tablets. U. S. v. National Specialty Co. Plea of nolo contendere. Fine, \$100. (F. D. C. No. 23570. Sample Nos. 54108-H, 54109-H, 55101-H.)

FORMATION FILED: October 21, 1947, Middle District of Tennessee, against the National Specialty Co., a partnership, Nashville, Tenn.

ALLEGED SHIPMENT: On or about October 19 and December 31, 1946, from the State of Tennessee into the States of Georgia and Indiana.