constituents. The article was alleged to be misbranded in that the statements on the bottle label and in a circular entitled "Diabetes?," which represented, suggested, and implied that inadequacies in the mineral content of foods ordinarily consumed are responsible for the development of diabetes, and that use of the article would prevent or cure this disease, were false and misleading since diabetes is not a deficiency disease resulting from inadequacies in mineral intake, and consumption of the article would not effect the results stated or implied in the labeling.

Examination of the Sea-Soi disclosed that it contained soy beans, dried seaweed, and sugar, and that it yielded approximately 3.6 percent of inorganic constituents containing, per 2 ounces, 170 milligrams of phosphorus, 3.5 milligrams of iron, and 5 milligrams of iodine. It was alleged to be adulterated in that its strength differed from that which it was represented to possess, "18 milligrams food iron—more than the full minimum daily adult requirement," per 2 ounces. The article was alleged to be misbranded because of false and misleading statements on the bottle label and in a circular entitled, "Nervous . . . Anemic? Sea-Soi?," which represented, suggested, and implied that use of the article in accordance with the directions for use would prevent or correct shortness of breath, rapid heart palpitation, flabby flesh, pale skin, a tired feeling, excessive weight, irritability and supersensitivity, disturbance in the stomach, gastric secretions, lack of aggressiveness and ambition, chlorosis in adolescent girls, lassitude, capricious appetite, indigestion and constipation, a general run-down condition, underweight, iron deficiency, sinus conditions, colds, mucus and catarrhal conditions, rheumatoid arthritis, beriberi, loss of appetite, general debility, premature graying, scurvy, anemia, pyorrhea, rheumatoid fever, rickets, bone deficiencies, calcium deficiency, metabolism, arteriosclerosis, apoplexy, and high blood pressure; and that the pincipal ingredients of the article were derived from the sea and soy beans.

The article known as Kalseom Tablets was labeled in part: "Kalseom * * * Consists of Imported variety of Sea Vegetables * * * carefully blended with Bone Calcium Phosphate fortified with Vitamin 'C' (Ascorbic Acid) and Vitamin D (Ergosterol)." The article was alleged to be misbranded because of false and misleading statements on the bottle label and in a circular entitled "Can This Be True?," which represented, suggested, and implied that there exists in the ordinary foods consumed a substantial deficiency in the mineral elements supplied by the article, which deficiency would result in tuberculosis, asthma, hay fever, allergy, headaches, skin eruptions, gastric, muscular, and nervous disturbances, weak pulse, poor digestion, poor teeth, and brittle fingernails; and that use of the article would prevent or correct those conditions.

Misbranding of all of the articles and adulteration of the Ocean-Lax and Sea-Soi were also alleged under the provisions of the law applicable to foods, as reported in the notices of judgment on foods.

On August 10, 1943, Mineralized Foods, Inc., claimant, was granted its motion for the removal of the libel proceedings to a district of reasonable proximity to the city of Baltimore, Md. On October 7, 1943, the cases having been transferred to the District of Columbia, an order having been entered for their consolidation, and the claimant having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond for relabeling under the supervision of the Food and Drug Administration.

1247. Misbranding of Nuxated Iron. U. S. v. 21⅓ Dozen Packages of Nuxated Iron. Default decree of condemnation and destruction. (F. D. C. No. 11978. Sample No. 76274–F.)

On March 11, 1944, the United States attorney for the Northern District of New York filed a libel against 21⅓ dozen packages of Nuxated Iron at Binghamton, N. Y., alleging that the article had been shipped on or about January 17, 1944, from Stamford, Conn., by Dae Health Laboratories, Inc.; and charging that it was misbranded.

Examination disclosed that the article consisted essentially of ferrous sulfate (64 milligrams per tablet), strychnine, compounds of calcium, magnesium and sodium, including carbonates and glycerophosphates, together with aromatic principles.

The article was alleged to be misbranded because of false and misleading statements in its labeling which represented and suggested that it would be an adequate treatment for run-down conditions and iron deficiency.

On June 21, 1944, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.