

LABEL IN PART: "Ten Grain Gelatin Caps BEAUTYCARE No Fat Gelatin Caps a food supplement for Lovely Nails & Hair A pure high protein sugarless gelatin Containing Natural Protein, Peptides, and Amino Acids * * * Distributed by Parthenon Pharmaceuticals, Inc., Nashville 8, Tennessee."

ACCOMPANYING LABELING: Leaflets entitled "Beautycare Gelatin" and loose "Beautycare" bottle labels.

RESULTS OF INVESTIGATION: The leaflets and the loose "Beautycare" labels were printed in Nashville at the dealer's request. The leaflets were attached to each bottle with a rubber band by the dealer. The labels were shipped by the dealer to Auburn, N.J., where they were to be affixed to each bottle by Cowley Pharmaceuticals, Inc.

LIBELED: 12-29-59, M. Dist. Tenn.

CHARGE: 502(a)—when shipped and while held for sale, the labeling of the article contained false and misleading representations that the article would produce more manageable and lustrous hair; more beautiful hair and skin; curb the appetite; help build blood; aid in losing weight; and that it contained the essential amino acid necessary for tissue growth.

DISPOSITION: 4-5-60. Default—destruction.

6114. Vitamin capsules. (F.D.C. No. 42757. S. Nos. 13-790/5 P.)

QUANTITY: 2 ctns., each containing 6,000 capsules in pliofilm bags, of *Darwins Therapeutic Vitamin B Complex*, 48 100-capsule btls, of *Magnum Therapeutic Vitamin B Complex*, 34 100-capsule btls. of *Therapeutic Vitamin B Complex*, 47 100-capsule btls. of *Bioflac*, 3,000 capsules of *Kolisin* in bulk container, 36 100-capsule btls. of *Lipo-In*, 300 capsules of *Utrapacs*, 21 100-capsule btls. of *X-Tra-Hi*, and 36 100-capsule btls. of *Lecithin and Vitamin D*, at Birmingham, Mich., in possession of Vitamin Center.

SHIPPED: The vitamin D in the *Lecithin and Vitamin D* capsules had been purchased from a firm in Chicago, Ill., and used in the manufacture of such capsules at Detroit, Mich. The finished *Lecithin and Vitamin D* capsules were shipped on 9-2-58 to the dealer, from Detroit, Mich., and the other articles were shipped to the dealer between 8-12-58 and 10-6-58, from Buffalo, N.Y., and Baudette, Minn.

LABEL IN PART: (Ctn.) "Darwins Therapeutic Vitamin B Complex Fortified with Liver, Iron, Folic Acid, Vitamin C and B₁₂"; (btl.) "Magnum Therapeutic Vitamin B Complex Fortified with Liver, Iron, Folic Acid, Vitamin C and B₁₂ Vitamin Center Distributors, Detroit 31, Michigan 1410"; "Therapeutic Vitamin B Complex A Special Formula Fortified with Liver, Iron, Folic Acid, Vitamin C, Choline, Inositol and B₁₂ * * * 1411"; "Bioflac Each capsule contains: 100 Mg. Citrus Bioflavonoids Complex from Lemons, 100 Mg. Vitamin C * * * 1484"; (bulk container and btl.) "Kolisin [or "Lipo-In"] * * * Each capsule contains: Choline Bitartrate 250 Mg. Inositol 250 Mg. dl-Methionine 150 mg."; (bulk container) "Utrapacs Each capsule contains: Vitamin A 30,000 USP Units Vitamin D 2,500 USP Units Vitamin B₁ (Thiamine Chloride) 10 mg. Vitamin B₂ (G) Riboflavin 10.0 mg. Vitamin B₆ 0.5 mg. Niacinamide 150.0 mg. B₁₂ * * * 5 mcg. Vitamin C (ascorbic Acid) 3000 USP Units Folic Acid 0.25 mg. Calc. Pantothenate 10 mg. Choline Citrate 10.0 mg. Inositol 10.0 mg. dl-Methionine 10.0 mg. Vitamin E 5.0 mg."; (btl.) "X-Tra-Hi Geriatric-Therapeutic Fortified with Vitamins A, D, C, B₁₂ and Niacinamide * * * 1431 & 1432," and "Lecithin Capsules * * *

Each capsule contains: 4 grains Lecithin and 150 USP Units Vitamin D suspended in 3 minims pure Soybean Oil * * * 1421."

ACCOMPANYING LABELING: Catalog entitled "Don't Shut Your Eyes"; folders entitled "Quality Vitamins" and "Magnums Over 57 Pounds"; and leaflets entitled "Read What Buyers Say," "It's Fine For You," and "Do You Feel Your Age Creeping Up On You?"

RESULTS OF INVESTIGATION: The articles in the 100-capsule bottles were repacked and relabeled from bulk stock shipped as described above.

The catalog, folders and leaflets were all prepared by the dealer.

LIBELED: 1-9-59, E. Dist. Mich.

CHARGE: 502(a)—while held for sale, the labeling which accompanied the articles contained false and misleading representations that the *Darwins Therapeutic Vitamin B Complex* and *Magnum Therapeutic Vitamin B Complex* would be an adequate and effective treatment for regulating the many chemical processes of the body to correct or prevent faulty hearing; cataract of the eye; heart trouble; arthritis; rheumatism; hardening of the arteries; diabetes; formation of gallstones; nervous disorders; and indigestion or constipation; that the remainder of the articles would be an adequate and effective treatment for hardening of the arteries; defective hearing; kidney stones; gallstones; colds; influenza; tonsilitis; respiratory infection; arthritis and rheumatic disorders; habitual abortions and miscarriages; thrombosis; hemorrhages; diabetes; high blood pressure; geriatric conditions; cirrhosis of the liver; cysts; sinus and bronchial infections; acne; and psoriasis; and that all the articles contained false and misleading representations that vitamin deficiency was almost universal, thus necessitating supplementation of the diet with this type of vitamin preparation, and that the articles were an adequate and effective treatment for increasing the life span, deferring senility, preventing cancer, and preventing circulatory disorders.

DISPOSITION: Frank Mellinger, Detroit, Mich., appeared as claimant. On 3-4-60, the claimant having consented, without admitting that the literature complained of was in violation of the law, a decree was entered ordering (a) that the accompanying literature be destroyed; (b) that the claimant no longer use the literature as labeling for the articles, or any other labeling which represents that the articles are adequate and effective treatment for the diseases, symptoms, and conditions described in the libel; and (c) that the claimant shall not dispose of the articles contrary to the provisions of the law.

6115. Beautiaire massage pillow. (F.D.C. No. 44021. S. No. 93-166 P.)

QUANTITY: 36 individually cartoned pillows at Boise, Idaho.

SHIPPED: 10-15-59, from New York, N.Y., by Morris Struhl, Inc.

LABEL IN PART: (Ctn.) "Beautiaire Massage Pillow the all purpose vibrating pillow * * * Morris Struhl, Inc., New York 10, New York."

ACCOMPANYING LABELING: Leaflet in carton entitled "How to enjoy * * * Beautiaire Electric Massage Pillow."

RESULTS OF INVESTIGATION: Examination showed the article to be a cloth-covered pillow containing an electric motor capable of providing vibrations.

LIBELED: 1-4-60, Dist. Idaho.

CHARGE: 502(a)—the labeling of the article, when shipped, contained false and misleading representations that the article was an adequate and effective treatment for easing nervous tensions; firming flabby flesh; melting away fatty