

6493. Vitamin preparations. (F.D.C. No. 45106. S. Nos. 53-221/7 R.)

QUANTITY: Various quantities of *Vigran Multi-Vitamins* in bottles of 30 or 100 capsules, *Vigran M Vitamin-Minerals* in bottles of 30 or 100 tablets, *Theragran Squibb Therapeutic Formula vitamin capsules* in bottles of 30 or 100 capsules, *Novogran Squibb Stress Formula Water Soluble Vitamins* in bottles of 100 capsules, *Theragran M Squibb Vitamin-Minerals for Therapy* in bottles of 100 tablets, *Theragran Liquid 4 fl. oz. Squibb Therapeutic Formula Vitamin Liquid*, and *Theragran Junior Squibb Vitamins for Therapy* in bottles of 100 capsules, at Cambridge, Mass.

SHIPPED: On various dates prior to 11-8-60, from Brooklyn, N.Y., by E. R. Squibb & Sons, Div. of Olin Mathieson Chemical Corp.

ACCOMPANYING LABELING: Booklets entitled "Selling Slants on Vitamins" and "Vitamins and Your Sales Success"; envelope entitled "Questions on the Squibb Vitamin Instruction Course," which contained separate sheets headed "Questions-Lesson No. I [or "II," "III," "IV," "V," and "VI"] leaflets entitled "All Vitamins are not alike!" and "Take Vitamins in the Summer-time?"; and window-streamers headed "V for Vigran Multi-Vitamins Ask Us About the Vigran Vitality Program."

LIBELED: 11-22-60, Dist. Mass.

CHARGE: All articles, 502(a)—when shipped, the above-mentioned booklets contained false and misleading representations that additional quantities of vitamins, far in excess of the amount recommended for adequate nutrition, would provide additional benefits for persons in good health, and would assist in returning a sick or injured person, or one convalescing from an operation, to good health, that the body has a greatly increased need for vitamin supplementation during and after stress conditions such as major surgery, severe burns, fractures, and severe and prolonged illnesses, which increased need is an indication for the use of the excess quantities of vitamins offered by the articles; 502(a)—the above-mentioned booklets contained statements which represented and suggested that the articles were offered for the treatment and prevention of night blindness; loss of appetite; fatigue; insomnia; irritability; heart and circulatory disturbances; digestive disturbances; faulty elimination; weight loss; neuritic pain; aches and pains; headaches; colds; general run-down condition; gastrointestinal disorders; mental and physical inadequacy; beriberi; mouth irritation; dry scaling of the red surface of the lips and corners of the mouth; photophobia; loss of appetite; nervousness; mental depression; soreness and redness of the tongue; ulceration of the gums; anemias; diarrhea; pellagra; skin disorders, with the malignant malnutrition of the tropics; emaciation; weakness and stupor; diseases of the gums; scurvy; redness, bleeding, and receding of gums; and multiple hemorrhages into the skin, joints, muscles, and internal organs; which statements were false and misleading since the articles were not an adequate and effective treatment and preventive of such diseases, conditions, and purposes; 502(a)—the above-mentioned booklets also contained statements which suggested that pernicious anemia results from a dietary deficiency of vitamin B₁₂, which would be corrected by supplementation of the diet with that vitamin, which statements were false and misleading since lack of intrinsic factor is a result of failure of the function of the body to produce that factor, leading to the disease, pernicious anemia, which disease is not amenable to treatment or correction, nor can the intrinsic factor be replaced, by use of the vitamin supplements offered.

The articles were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 4-27-61. Consent—claimed by Olin Mathieson Chemical Corp., and relabeled.

6494. Omin Plus iron phosphate tablets. (F.D.C. No. 44210. S. Nos 85-709/11 P.)

QUANTITY: 6 tins of Lot No. 41701, 7 tins of Lot No. 41702, and 4 tins of Lot No. 41703, each tin containing 25,000 tablets, at Fishkill, N.Y., in possession of Omin Co., Inc.

SHIPPED: Between 2-11-59 and 2-16-59, from Worcester, Mass.

LABEL IN PART: "Private Formula * * * Omin-Plus * * * Iron (Ferric) Phosphate 67 mg. (160% MDR)."

ACCOMPANYING LABELING: Streamers entitled "How Red Is Your Blood * * * Omin Plus," "Tired? Got That Worn-Out Feeling * * * Take Omin Plus," "Tired? Worn-Out? * * * Omin Tablets"; circular entitled "Omin Vitamins Omin Plus"; and charts entitled "Human Factory."

RESULTS OF INVESTIGATION: Analyses showed that the article contained approximately (Lot No. 41701) 55 percent, (Lot No. 41702) 58 percent, and (Lot No. 41703) 55 percent of the declared amounts of iron.

LIBELED: 2-11-60, S. Dist. N.Y.

CHARGE: 502(a)—while held for sale, the accompanying streamers, circulars, and charts contained false and misleading representations that the article was adequate and effective for the prevention and treatment of that tired, worn-out feeling; would restore pep and energy and make one feel better; would produce an adequate supply of red, healthy blood; that the article contained properties necessary to control and maintain proper glandular secretions and chemical functions of the human body; and that the article would serve to control and maintain proper functions of all glands and other organs and the metabolic processes of the human body to enjoy health.

The libel alleged also that the article was misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 7-29-60. Default—destruction.

6495. Vitamin D in a soybean oil base. (F.D.C. No. 44191. S. No. 76-777 P.)

QUANTITY: 3,760 100-capsule btls. and 338 500-capsule btls. at Portland, Oreg., in the possession of Fred Meyer, Inc.

SHIPPED: Between 8-21-59 and 10-15-59, from Santa Monica and South Pasadena, Calif., and Newark, N.J.

LABEL IN PART: (Btl.) "Certified Capsules Lecithin with Vitamin D Dosage * * * Distributed by Fred Meyer, Inc., Portland, Oreg. Each Capsule Contains: Soy Lecithin 259.2 mg. Soy Bean Oil 170.2 mg. Vitamin D 150 USP Units (Irradiated Ergosterol)."

ACCOMPANYING LABELING: Placards entitled "Stay Alive Longer! Lecithin" and newspaper clippings of advertisements placed in a Portland newspaper by Fred Meyer, Inc., reading in part "Lecithin As Advised by Lelord Kordel," and "Stay Alive Longer Lecithin."

RESULTS OF INVESTIGATION: Investigation indicated that the product was vitamin D in a soybean oil base. The article was shipped in bulk as described above, and after arrival at Portland, Oreg., was repacked and labeled by the Stanley Drug Products, Inc., and then delivered to Fred Meyer, Inc.