

CHARGE: 502(a)—when shipped, the can label of the article contained false and misleading representations that it was an adequate and effective treatment for relieving miseries of colds, sinus, hay fever, and other nasal allergies; clearing the head; and soothing the throat.

DISPOSITION: 8-29-60. Consent—article claimed by Harry Shapiro, t/a Chemical Specialties Co. and relabeled.

6498. Brand Nu. (F.D.C. No. 44910. S. Nos. 28-024 R, 28-050 R.)

QUANTITY: Unknown number of 4 gram packets and cartons, each containing 25 4-gram packets at Minneapolis, Minn., in possession of Standard Industries, Inc., and others.

SHIPPED: Prior to March 1960, from Chicago, Ill.

LABEL IN PART: (Packet) "Combats over indulgence or that 'morning after feeling.' Brand Nu * * * For best results take one before or during indulgence and one the following morning before eating."

RESULTS OF INVESTIGATION: The article had been shipped in different containers and after receipt at Minneapolis was repacked by Standard Industries, Inc.

LIBELED: 10-3-60, Dist. Minn.

CHARGE: 502(a)—while held for sale, the labeling of the article contained false and misleading representations that it was an adequate and effective treatment for overindulgence and that "morning after feeling."

The article was alleged also to be misbranded under the provisions of the law applicable to foods as reported in notices of judgment on foods, No. 27399.

DISPOSITION: 12-30-60. Default—destruction.

✓ 6499. Oro-Vita food supplement. (F.D.C. No. 44262. S. Nos. 84-053 P, 17-305 R.)

QUANTITY: 34 cases, each containing 6 ctns., each ctn. containing 360 mineral tablets and 180 vitamin tablets, at Salt Lake City, Utah, in possession of Oro-Vita Corp.; and 160 packages, each containing 2 ctns. of 360 mineral tablets and 180 vitamin tablets; 450 envelopes, each containing 4 mineral tablets and 2 vitamin tablets; 39 drums, each containing 21,239 mineral tablets and 21 drums, each containing 21,239 vitamin tablets, at Salt Lake City, Utah, in possession of "N" Products Co.

SHIPPED: 8-15-59 and 2-15-60, from Los Angeles, Calif.

LABEL IN PART: (Case) "Oro-Vita (Golden Life) Food Supplement With Special *Tramin Base Natural or Organic Minerals and Vitamins * * * The special Tramin Base contains what many believe to be a unique nutritional discovery which contains some of mother nature's blended elements from the land, from the sea and from what used to be the bottom of the sea. Among these elements are Minerals and Vitamins * * * Formulated for and Distributed by Oro-Vita Corporation, Salt Lake City, Utah"; (ctn.) "Oro-Vita Food Supplement with special *Tramin Base Natural or Organic Minerals and Vitamins * * * 360 (Brown) Mineral Tablets 180 (Yellow) Vitamin Tablets * * * Oro-Vita Corporation, Salt Lake City, Utah"; (pkg.) "Oro-Vita (Golden Life) Food Supplement With Special *Tramin Base Natural or Organic Minerals and Vitamins * * * Distributed by Oro-Vita Corporation, Salt Lake City, Utah"; and (envelope) "Oro-Vita Food Supplement 1 Day Supply."

ACCOMPANYING LABELING: Loose repack labels for packages and cartons, as described above; leaflets entitled "What Charlie Morgan Learned About

Minerals"; "Is Health Your Most Treasured Asset?"; reprints of a Reader's Digest article entitled "How To Prolong The Prime of Life"; reprints of a Pageant magazine article entitled "Vitamins Can Help You Live Longer"; and sales manuals entitled "Oro-Vita * * * Food Supplement."

RESULTS OF INVESTIGATION: The article was repacked into cases, packages, and envelopes by "N" Products Co., Salt Lake City, Utah, for Oro-Vita Corp., from the bulk containers shipped as described above.

LIBELED: 3-24-60, Dist. Utah.

CHARGE: 502(a)—while held for sale, the labeling which accompanied the article contained false and misleading representations that the article was adequate and effective for the treatment and prevention of tired, sluggish, depressed conditions, nervousness, fatigue, irritability, low vitality, stunted growth, soft bones, malformed teeth which decay easily, fragile bones in old people, senility, premature aging, neuritis, senile dementia, rheumy, inflamed eyes, chronic sickness, digestive, nervous and mental ailments, damage to the liver, coronary heart attacks, strokes, diseases of the kidneys, cirrhosis of the liver, high blood pressure, normal heart action, premature wrinkles, intelligence loss, migraine headaches, digestive disorders, obesity, diabetes, cancer, leukemia, nervous disorders, memory defects, severe agitation, infection, pernicious anemia, bleeding; and that the article would keep the blood neutral, assist in blood coagulation, develop and maintain health, happiness, and vigor, assure sufficient energy, prolong the prime of life, boost growth and productive vitality, help one live longer, increase the intelligence quotient, prolong female fertility, aid vision, help teeth form, delay senility, fight disease, aid in healing wounds, keep teeth healthy, and produce healthy blood; and that vitamin E was indisputably important to the heart, nerves, and fertility.

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: 5-20-60. Consent—claimed by Oro-Vita Corp., Salt Lake City, Utah, and Neoco Corp., Los Angeles, Calif., and released under bond for re-labeling and salvaging in compliance with the law. The mineral tablets were subsequently destroyed; the vitamin tablets were reground; and the ground material was packed into drums and labeled.

6500. Vibra Slim device. (F.D.C. No. 41798. S. No. 26-553 P.)

QUANTITY: 56 devices at Minneapolis, Minn.

SHIPPED: 5-13-58, from New York, N.Y., by Modern Aids, Inc.

LABEL IN PART: "Vibra Slim Modern Aids Inc., N.Y."

ACCOMPANYING LABELING: Leaflet entitled "VIBRA SLIM APPETITE SATIENTS FOR CALORIE CONTROL," and newspaper tear sheets entitled "DONALDSON'S SHOWS YOU HOW TO SPOT REDUCE."

RESULTS OF INVESTIGATION: The device was a vinyl covered, cushioned, contoured box, containing an electric motor providing vibration. The newspaper tear sheets were used by the dealer as display placards in the immediate area of the display stock of the device. The shipper of the device had furnished the mat from which the newspaper tear sheets had been prepared.

LIBELED: 6-9-58, Dist. Minn.; removed to Dist. N.J., 9-8-58.

CHARGE: 502(a)—when shipped and while held for sale, the labeling contained false and misleading representations that the article was adequate and effective for trimming and firming bulges; removing excess flabbiness on thighs,