

35 lbs. of wintergreen; 50 lbs. of sassafras bark; 50 lbs. of sculcap; 50 lbs. of dog grass; 25 lbs. of buchu; 50 lbs. of India sage; and 35 lbs. of liferoot, at Lorain, Ohio, in possession of Devore Herbs Co.

SHIPPED: Prior to June 1958 and on or about 7-2-58 and 3-17-59, from Jersey City, N.J.

LABEL IN PART: (Pkg.) "Devore Laxative Herbs—Extra Strong \* \* \* Devore Herbs Company, Vermillion, Ohio" and "Devore Herbs No. 7 [or "28" or "26" or "27"]."

ACCOMPANYING LABELING: Leaflets entitled "Sluggish Kidneys May Cause Backache, Getting Up Nights"; six pages of leaflets stapled together and entitled "Nature's Way is Best," with one page headed "Constipation" and one page headed "In Giving The Therapeutical Value of Botanicals In This page"; and repack labels and empty retail packages.

RESULTS OF INVESTIGATION: The articles were repacked and labeled by the dealer from bulk stock shipped as described above. The leaflets were prepared by the dealer and were used in promoting sales of the articles.

LIBELED: 8-15-61, N. Dist. Ohio.

CHARGE: 502(a)—while held for sale, the labeling of the articles contained false and misleading representations that the various articles were adequate and effective as a treatment for use in eliminating body wastes and thereby preventing, overcoming, or relieving colds, coughs, piles, fever, backaches, and nerve conditions; and that herbal preparations were capable of relieving pain, expelling worms, curing rheumatism, preventing spasms, purifying the blood, cleaning boils and ulcers, curing ringworm and other skin diseases, and dispelling tumors.

DISPOSITION: 3-28-62. Consent—claimed by Theodore J. Risen, t/a Devore Herbs Co., Lorain, Ohio, and relabeled.

7044. Kiddy Kaps vitamins. (F.D.C. No. 47138. S. Nos. 9-680 T, 10-684 T.)

QUANTITY: 106 24-tablet btl., 5 cases, 24 100-tablet btl. each, and 6 cases, 12 250-tablet btl. each, of *Kiddy Kaps Tastitreat*; 17 32,000-tablet drums of *Kiddy Kaps Vitamin Chew tablets*; and 32 cases, 24 100-tablet btl. each, and 18 cases, 12 250-tablet btl. each, of *Kiddy Kaps Vitamin Treat*, at Buffalo, N.Y., in possession of Republic Drug Co., Inc.

SHIPPED: Between 11-9-61 and 12-29-61, from Englewood, N.J., and Cleveland, Ohio, to Buffalo, N.Y.

LABEL IN PART: (Btl.) "Kiddy Kaps Tastitreat Sugar Free Vitamin Treat for Children \* \* \* Republic Drug Company, Inc., Buffalo, N.Y. Distributors"; (drum) "Manufactured For Republic Drug Company, Inc. Vitamin Chew Tablets"; and (btl.) "Kiddy Kaps Vitamin Treat for Children \* \* \* Republic Drug Company, Inc., Distributors Buffalo, New York."

ACCOMPANYING LABELING: Streamers entitled "Kiddy Kap Childrens Vitamins"; place cards entitled "Free Reg. \$1.00 Size Kiddy-Kaps"; newspaper advertisement mats and impressions of same reading, in part, "Fight Colds Build Strong Bodies \* \* \* Kiddy Kaps"; and extra bottle labels.

RESULTS OF INVESTIGATION: The dealer had repacked the *Kiddy Kaps Tastitreat tablets* from bulk stock and the *Kiddy Kaps Vitamin Treat tablets* from the 32,000-tablet drums. The bulk stock and the drums had been shipped as described above. The accompanying labeling was printed locally.

LIBELED: 2-23-62, W. Dist. N.Y.

CHARGE: 502(a)—while held for sale, the labeling accompanying the articles contained false and misleading representations that the articles were adequate and effective for the treatment and prevention of colds, to build strong bodies, and to stimulate appetites.

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

DISPOSITION: 4-5-62. Consent—claimed by Republic Drug Co., Inc., and relabeled.

7045. Nutri-Health products. (F.D.C. No. 46798. S. Nos. 9-483/84 T.)

QUANTITY: 55 cases, 25 pkgs. each, of *Multi-Vitamin and Mineral Dietary Supplement* and 23 cases, 25 pkgs. each, of *Protein Plus Dietary Supplement*, at Pittsburgh, Pa., in possession of World-Wide Nutri-Health, Inc.

SHIPPED: 10-16-61 and 10-19-61, from Paramus, N.J.

LABEL IN PART: (Pkg.) "Natural or Organic Multi-Vitamin & Mineral Dietary Supplement \* \* \* with exclusive Nutri-Zymes \* \* \* 308 Mineral Tablets 184 Vitamin Tablets \* \* \* Formulated for and Distributed by World-Wide Nutri-Health, Inc., Pittsburgh 20, Pa." and "Natural or Organic Protein plus Nutri-Zymes-P Dietary Supplement Fruit Flavor \* \* \* 368 tablets \* \* \* Formulated for and Distributed by World-Wide Nutri-Health, Inc., Pittsburgh 20, Pa."

ACCOMPANYING LABELING: Books entitled "Hunza Land, by: Dr. Allen E. Banik and Renee Taylor"; film kits entitled "Nutri-Health Highway" and "Bright Future For You"; sales manuals; folders entitled "Proteins structural basis of all living cells!" and "Health thru Natural Nutrition Vitamins and Minerals"; and booklets entitled "Man's Greatest Gifts . . . Good Health Vitality Zest For Living."

RESULTS OF INVESTIGATION: The accompanying labeling was printed and prepared on order of, or ordered by, the dealer.

LEBELED: 12-19-61, W. Dist. Pa.

CHARGE: 502(a)—when shipped and while held for sale, the labeling, namely, the package label and promotional material accompanying the article, contained false and misleading representations that (*Multi-Vitamin and Mineral Dietary Supplement*), the article was adequate and effective for the treatment and prevention of circulatory diseases, cancer, heart attacks, mumps, measles, chicken pox, nervousness, cramps, wrinkles, and overweight conditions; to prevent juvenile delinquency; and to promote longevity, eternal youth, virility, optimism, radiant health, vitality, zest for living, sound eyesight, attractiveness until a ripe old age, and vigor; and the article was of significant value for special dietary supplementation and therapeutic use by reason of the presence therein of linoleic and linolenic acids, vitamin F, inositol, para-aminobenzoic acid, rutin, biotin, methionine, bioflavonoid complex, choline, chlorophyll, chlorophyllins, alfalfa juice and powder concentrate, manganese, magnesium, potassium, sulfur, chlorine, sodium, papain, Prolase, pepsin, and Mylase; that the article was a complete, balanced food supplement; that the American people are undernourished, although overfed, since it was impossible to obtain adequate nutrition in the ordinary food supplies; and that all the ingredients of the article were natural or organic, and were of special significance for special dietary supplementation because they were natural or organic; that (*Protein Plus Dietary Supplement*), the article