

DISPOSITION: May 22, 1945. No claimant having appeared, judgment of condemnation was entered and the product, together with the printed matter, was ordered destroyed.

9198. Misbranding of Yogurt Culture. U. S. v. 141 Cartons of Yogurt Culture, and a number of circulars and leaflets. Default decree of condemnation and destruction. (F. D. C. No. 15373. Sample No. 28617-H.)

LABEL FILED: April 24, 1945, Western District of Washington.

ALLEGED SHIPMENT: By the International Yogurt Co., from Los Angeles, Calif. The Yogurt Culture and some of the leaflets were shipped on or about February 16, 1945; the circulars were shipped on or about February 14, 1945; and the remainder of the leaflets were shipped at some time prior to the shipment of the merchandise.

PRODUCT: 141 cartons of Yogurt Culture, a number of leaflets entitled "Keep Young," and a number of circulars entitled "The Secret of Youth," at Seattle, Wash. Examination disclosed that the product was a culture of viable lactobacilli.

LABEL, IN PART: (Cartons) "Rosell Institute's Original Yogurt Culture."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements on the cartons and in the leaflets and circulars were false and misleading since they represented and suggested that use of the article would be effective to enable one to keep young, to attain to an old age, and to add years to one's life; and that its use would combat excessive intestinal putrefaction, prevent the growth of harmful, putrefactive bacteria, be of benefit in many types of gastro-intestinal disturbances, and promote beauty. The article would not be efficacious for such purposes.

It was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1786.

DISPOSITION: September 20, 1945. No claimant having appeared, judgment of condemnation was entered and the product and the stock of leaflets and circulars were ordered destroyed.

9199. Misbranding of sea kelp. U. S. v. 16 Bottles of Sea Kelp and 1,300 Circulars. Default decree of condemnation and destruction. (F. D. C. No. 16295. Sample No. 4461-H.)

LABEL FILED: May 25, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about April 11, 1945, from Zeeland, Mich., by the Kelp Co.

PRODUCT: 8 500-tablet bottles and 8 200-tablet bottles of sea kelp and 1,300 circulars entitled "Food Minerals From the Sea," at Paoli, Pa.

LABEL, IN PART: "Pure Sea Kelp Dehydrated Macrocystis Pyrifera 5 Grain Tablets."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements in the labeling of the article were false and misleading. The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1784, in which are set forth the analysis of the article and the false and misleading statements referred to above.

DISPOSITION: October 2, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9200. Misbranding of Di-Ettes. U. S. v. 32 Bottles of Di-Ettes and 50 Leaflets. Default decree of condemnation and destruction. (F. D. C. No. 15801. Sample No. 22126-H.)

LABEL FILED: April 5, 1945, Eastern District of Missouri.

ALLEGED SHIPMENT: By Professional Foods, from Cedar Rapids, Iowa. The product was shipped on or about November 17, 1944. The leaflets were shipped separately and were received by the consignee several days after the receipt of the product.

PRODUCT: 32 bottles, each containing 180 tablets, of Di-Ettes and 50 leaflets entitled "Introducing Di-Ettes," at St. Louis, Mo. Examination of a sample showed that the product consisted chiefly of vegetable extracts, vegetable gums, salt, and a tablet binder.