

uses by reason of its mineral content, and its label failed to bear, as required by regulations, statements of the proportion of the minimum daily requirement for calcium and iron supplied by the article when consumed in a specified quantity during the period of one day.

DISPOSITION: 3-16-61. Default—destruction.

27146. Vi-B-Cee-Plus capsules, Fer-B-Cee-Plus tablets, and Vimeral-Prenatal capsules. (F.D.C. No. 44615. S. Nos. 6-996/8 R.)

QUANTITY: 76 50-capsule btl. of Vi-B-Cee-Plus capsules; 47 100-capsule btl. of Fer-B-Cee-Plus tablets; and 89 100-capsule btl. of Vimeral-Prenatal capsules, at Hamden, Conn.

SHIPPED: Richlyn Laboratories shipped the Vi-B-Cee-Plus capsules and Fer-B-Cee-Plus tablets from Philadelphia, Pa., subsequent to January 1959; and Lustgarten Laboratories, Inc., shipped the Vimeral-Prenatal capsules from Philadelphia, Pa., on 4-6-60.

LABEL IN PART: (Btl.) "Vi-B-Cee-Plus * * * Vitamins-Minerals and Lipoids [or "Fer-B-Cee-Plus" or "Vimeral-Prenatal"] * * * Distributed by New England Pharmaceutical Co. Hamden, Conn."

LIBELED: 6-17-60, Dist. Conn.

CHARGE: Vi-B-Cee-Plus capsules, 403(a)—when shipped, the article contained a representation and suggestion that the article was a source of lipoids for special dietary use, which representation and suggestion was false and misleading since the article contained no lipoid ingredient; and 403(j)—the article purported to be and was represented as a food for special dietary use by reason of its vitamin and mineral content and its label failed to bear, as the regulations require, a statement of the proportion of the minimum daily requirement of vitamin B₁, vitamin B₂, vitamin C, niacinamide, and iron supplied by the article when consumed in a specified quantity during a period of one day; and also the statement "The need for calcium pantothenate and choline in human nutrition has not been established."

Fer-B-Cee-Plus tablets, 403(a)—when shipped, the label statement "A well balanced vitamin and mineral food supplement specially designed for the dietary needs of older persons and convalescents" was false and misleading since the article was not balanced and the label represented and suggested, contrary to fact, that the dietary needs of older persons are different from those of adults generally, and that all of the ingredients in the article would promote convalescence; and 403(j)—the article purported to be and was represented as a food for special dietary uses by reason of its vitamin and mineral content, and its label failed to bear, as the regulations require, a statement of the proportion of the minimum daily requirement for vitamin A, vitamin B₁, vitamin B₂, niacinamide, vitamin C, vitamin D, calcium, iron, and iodine supplied by the article when consumed in a specified quantity during a period of one day; and also the statement "The need for calcium pantothenate, choline, inositol, cobalt, manganese, zinc, and molybdenum in human nutrition has not been established."

Vimeral-Prenatal capsules, 403(a)—when shipped, the label statements "Hesperidin Complex 100 mg.," "Calcium Pantothenate 1.0 mg." and "*Recommended daily requirement not established" were false and misleading since such statements suggested and implied that hesperidin complex, and calcium pantothenate were essential in human nutrition, whereas, the need for hesperidin complex and calcium pantothenate in human nutrition has not been

established; and the label statement "2 Capsules 3 times daily provide the minimum daily requirement or more of vitamins * * * during pregnancy as recommended by The Food and Nutrition Board of the National Research Council" was false and misleading since the article contained 20 times the minimum daily requirement for ascorbic acid, 3 times the minimum daily requirement for vitamin D, over 7 times the minimum daily requirement for thiamine mononitrate, over 3 times the minimum daily requirement for riboflavin, and 3 times the minimum daily requirement for nicotinamide; and since such statement suggested and implied, contrary to fact, that the article was recommended by the Food and Nutrition Board of the National Research Council; and 403(j)—the article purported to be and was represented as a food for special dietary uses by reason of its vitamin and mineral content, and its label failed to bear, as required by regulations, the statement "The Need for calcium pantothenate in human nutrition has not been established," and a statement of the proportion of the minimum daily requirement for iodine supplied by the article when consumed in a specified quantity during the period of one day.

DISPOSITION: 3-22-61. Default—destruction.

27147. Loma Linda Soyala. (F.D.C. No. 45341. S. No. 16-810 R.)

QUANTITY: 27 cases, 12 17.2-oz. cans each, at Louisville, Ky.

SHIPPED: 9-20-60 and 10-20-60, from Mount Vernon, Ohio, by Loma Linda Food Co.

LABEL IN PART: (Can) "Loma Linda Soyala Concentrated Liquid Hypoallergenic For Infants Children and Adults."

LIBELED: 1-6-61, W. Dist. Ky.

CHARGE: 403(j)—when shipped, the article purported to be and was represented as a food for special dietary uses by reason of its use as a food for infants and by reason of the decrease or absence of any allergenic property, and its label failed to bear, as required by regulations, (a) a statement of the percent by weight of crude fiber contained in such food; and (b) a statement of the number of available calories and of U.S.P. units of vitamin B₁ (thiamine) and vitamin C (ascorbic acid) supplied by a specified quantity of such food; and its label also failed to bear, as required by regulations, the quantity or proportion of each ingredient contained in the article.

DISPOSITION: 3-13-61. Default—delivered to a charitable institution.

MISCELLANEOUS FOODS

27148. Pie filling. (F.D.C. No. 45017. S. No. 36-046 R.)

QUANTITY: 45 ctns., 12 1-lb. 5-oz. cans each, at Brooklyn, N.Y.

SHIPPED: The article was delivered, on 8-17-60, to a ship pier at Brooklyn, N.Y., for shipment to Malaya.

RESULTS OF INVESTIGATION: Inspection showed that the article had been submerged in polluted river water. The contamination occurred as a result of a storm on 9-13-60, which flooded the pier at Brooklyn, N.Y., where the article was stored.

LIBELED: 11-30-60, E. Dist. N.Y.

CHARGE: 402(a)(4)—held under insanitary conditions while in interstate commerce.