

\* \* \* Vitamins, Minerals, Enzymes and chlorophyll in their original complex structures."

**LIBELED:** 6-13-61, N. Dist. Okla.; amended libel 8-22-61.

**CHARGE:** 403(a)—when shipped, (Wonderphyll) the label contained false and misleading representations that the article contained 1 mg. of folic acid per 10 tablets, and that the article was of significant benefit for special dietary use by reason of the presence of enzymes, chlorophyll, the dehydrated juice solids of alfalfa, parsley, and watercress, liver, bone marrow, rice bran extract, papaya, okra, bile salts, and duodenum; (Alfa-Kelp) the label contained false and misleading representations that the article was of significant benefit for special dietary use by reason of the presence of dehydrated alfalfa juice, dehydrated alfalfa seed sprouts, chlorophyll, trace minerals, enzymes, and vitamins generally natural to alfalfa; (Leme-C) the name of the article "Leme-C" and the vignette of lemons on the label suggested and implied that the article was made entirely from lemons, which was false and misleading and the label also contained false and misleading representations that the article was of significant benefit for special dietary use by reason of the presence therein of the raw factors of lemon, bioflavonoids, and rutin; (Liver Tablets & B<sub>12</sub>) the name "Liver Tablets & B<sub>12</sub>" was false and misleading since the article contained ingredients in addition to liver and vitamin B<sub>12</sub>, and the label also contained false and misleading representations that the article was of significant benefit for special dietary use by reason of the presence therein of dried reindeer liver, dried heart, comfrey, lemon, bioflavonoids, and dried duodenal substances; and (Vitaphyll) the label contained false and misleading representations that the article was of significant value for special dietary use by reason of the presence therein of dehydrated alfalfa, parsley, watercress, mustard greens, turnip greens, liver, papaya, okra, bone marrow, rose hips, damiana, lecithin, dandelion, sarsaparilla, burdock, valerian, yellow dock root, duodenum, potassium, magnesium, manganese, sodium, sulfur, trace minerals, and chlorophyll.

The libel alleged also that certain other products were misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 6945.

**DISPOSITION:** On 8-23-61, the case was transferred to the Southern District of California. On 1-25-62, a default decree of condemnation was entered and the article was ordered destroyed.

**28395. Proten A powder, Proten V powder, and Geriatric liquid.** (F.D.C. No. 45535. S. Nos. 39-621/3 R.)

**QUANTITY:** 71 1-lb. btls. of Proten A powder; 107 8-oz. btls. of Proten V powder; and 48 1-pt. btls. of Geriatric liquid, at St. Louis, Mo.

**SHIPPED:** Between 5-13-60 and 10-19-60, from Los Angeles, Calif., by William T. Thompson Co.

**LABEL IN PART:** (Btl.) "Thompson's Proten A High Protein Concentrate \* \* \* Animal-Vegetable Protein Supplement \* \* \* Manufactured by Wm. T. Thompson Co."; "Thompson's Proten V High All Vegetable Protein Concentrate \* \* \* All Vegetable Protein Supplement \* \* \* Manufactured by Wm. T. Thompson Co."; and "Thompson's Geriatric Liquid \* \* \* Digestive Enzymes, Lipotropics and B-Complex Vitamins in Liquid Form Wm. T. Thompson Co. \* \* \* Especially formulated for people over 40."

ACCOMPANYING LABELING: Counter display placards entitled "Higher Protein Potency Thompson's Proten," and "Don't Be Old at 40 Be Young at 60"; window banners entitled "Thompson's Proten A High Protein Supplement" and "Stop 'Slow Down' Over 40 Thompson's Geriatric Liquid"; leaflets entitled "Powder and Tablets Containing All the Essential Amino Acids Thompson's Protein"; window display sheets entitled "Thompson's Increased Vitality & Vigor For People Over 40"; pamphlets entitled "Stop 'Over 40' Slow Down Thompson's Geriatric Liquid & Tablets"; and newspaper mats reading in part "Men and Women 40 to 85 Stop That Over 40 Slow Down."

LIBELED: 3-31-61, E. Dist. Mo.

CHARGE: Proten V powder and Proten A powder, 403(a)—when shipped, the labels of the articles contained statements which represented and suggested that the articles were a high protein concentrate, and that the Proten V powder was four times higher in protein content than meat, which statements were misleading, since the articles would not supply a significant amount of protein under the recommended directions for special dietary use, and since the articles were compared with meat on a basis other than as such foods were consumed; and 403(j)—the articles purported to be and were represented as foods for special dietary uses by reason of their vitamin and mineral content, and their labels failed to bear, as required by regulations, a statement of the percent by weight of the available carbohydrates in such food.

Geriatric liquid, 403(a)—when shipped, the label statement "Niacinamide \* \* \* MDR not established" was false and misleading; 403(a)—the labeling of the article contained false and misleading representations that the article contained nutritionally significant amounts of digestive enzymes, lipotropics, betaine monohydrate, liver concentrate, yeast extract concentrate, inositol, calcium glycerophosphate, and manganese glycerophosphate for special dietary use, and that such ingredients in the article were of nutritional significance for special dietary use; and that the dietary requirements of people of older ages were different from adults generally; 403(j)—the article purported to be and was represented as food for special dietary uses by reason of its vitamin content and its label failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirement for niacinamide supplied by such food when consumed in a specified quantity during a period of one day; and 403(k)—the article contained chemical preservatives, namely, methylparaben and propylparaben, and its labeling failed to state that fact.

The libel alleged also that the articles were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 6943.

DISPOSITION: 6-2-61. Consent—claimed by Wm. T. Thompson Co., and destroyed.

28396. Safflor capsules. (F.D.C. No. 46462. S. No. 68-824 R.)

QUANTITY: 57 100-capsule btls., at Milwaukee, Wis., in possession of Haug Drug Co.

SHIPPED: 5-25-61, from Detroit, Mich.

LABEL IN PART: (Btl.) "Haug's Safflor Capsules Haug's Safflower Oil Each Capsule Contains \* \* \* As a Dietary Supplement, \* \* \* Distributed by Haug Drug Company, Milwaukee 9, Wis."

ACCOMPANYING LABELING: Booklets entitled "Haug's Price List and Therapeutic Guide"; cards entitled "Safflor Capsules—For Reducing Serum Cholesterol File