

Analysis of a sample of the article showed that it consisted essentially of alfalfa with smaller proportions of mint.

It was alleged to be misbranded in that representations in an accompanying circular entitled "Health Chronicle" that it was a substitute for the secretions of the pancreas and would be efficacious for the relief of suffering diabetics; that each tablet contained a potency equal to 2 insulin units; that by its use insulin sickness would vanish; that insulin stiffness or muscular pains that grow on the patient after a prolonged use of insulin would slowly leave the body; that the blurred vision and partial blindness induced by insulin would gradually be cleared; and that it was a natural remedy and health food adjuvant, were false and misleading since it would not be efficacious for such purposes.

It was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2823.

On April 17, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

578. Misbranding of Enrich and Ritamine. U. S. v. 40 Bottles of Enrich and Ritamine. Default decree of condemnation and destruction. (F. D. C. Nos. 4884, 4885. Sample Nos. 40816-E, 40821-E.)

On June 6, 1941, the United States attorney for the Eastern District of Pennsylvania filed a libel against 14 16-fluid-ounce bottles and 6 8-fluid-ounce bottles of Enrich, and 8 75-day, 4 35-day, and 8 10-day packages of Ritamine at Philadelphia, Pa., alleging that the articles had been shipped within the period from on or about March 28 to on or about May 13, 1941, by American Dietaids Co., Inc., from Yonkers, N. Y.; and charging that they were misbranded.

Analysis of a sample of Enrich showed that it contained per fluid ounce—peptonized iron (650 milligrams), soluble manganese citrate (54 milligrams), calcium glycerophosphate (170 milligrams), and vitamin B₁ (200 U. S. P. units); analyses of samples of Ritamine, which consisted of black and brown capsules, showed that the black capsules contained vitamin A (12,800 units), vitamin B₁ (200 units), vitamin C (226 units), and vitamin D (600 units); and that the brown capsules contained compounds of calcium, iron, phosphorus, copper, and iodine with small proportions of compounds of other elements, and an oil such as wheat-germ oil.

Enrich was alleged to be misbranded: (1) In that statements on an accompanying placard in the window display of the consignee which suggested or implied that women normally require excessive amounts of iron to prevent the development of anemia; and which represented that its use would benefit nerves, glands, and other organs; would promote energy, endurance, appetite, vigor, vitality, sunny disposition, and radiant complexion; and that the product was an adequate treatment for anemia due to lack of iron, were false and misleading since women do not normally require excessive amounts of iron to prevent the development of anemia, and the use of the article would not fulfill such promises of benefits stated and implied. (2) In that the designation "Enrich" on the carton and bottle labels constituted a false and misleading device since it suggested and represented to purchasers that use of the article would enrich the blood, such meaning having been acquired as the result of the following statements on placards in the consignee's window display and in circulars on a counter in the consignee's store, "Are You Anemic due to lack of iron in your blood? New Enrich tonic brings genuine food-iron to the blood * * * Enriched Blood * * * It is vital that the blood be rich in iron. Take—Enrich"; whereas its use could not be depended upon to enrich the blood. (3) In that the following statements appearing on the carton and the bottle labels, "A Dietary Supplement * * * contains * * * Calcium * * * as the glycerophosphates," were false and misleading in the absence of a disclosure of the material fact that the amount of calcium glycerophosphate would furnish but a small fraction of the normal calcium requirement when the article was taken in accordance with the directions for use appearing on the bottle label, namely, "2 teaspoonfuls 4 times daily * * * For children, 1 teaspoon 4 times daily."

Ritamine was alleged to be misbranded in that representations in its labeling that its use would supply vitamins and minerals needed for various tissues, organs, and functions, were false and misleading since it would not fulfill the promises of benefits stated and implied.

On June 28, 1941, no claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.