

On October 11, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1131. Misbranding of Helio Minerals. U. S. v. 3 Dozen Bottles and 3 Dozen Bottles of Helio Minerals. Default decree of condemnation and destruction. (F. D. C. No. 10360. Sample No. 33849-F.)**

On August 6, 1943, the United States attorney for the Western District of New York filed a libel against 3 dozen 500-tablet bottles and 3 dozen 160-tablet bottles of Helio Minerals at Buffalo, N. Y., alleging that the article had been shipped on or about June 7 and July 30, 1943, from Detroit, Mich., by the Gordon Service, Inc.; and charging that it was misbranded.

Examination disclosed that the article consisted essentially of seaweed, alfalfa, and parsley leaves, and that 6 tablets, the number directed to be taken in 1 day, would provide only about  $\frac{1}{15}$  of the minimum daily adult requirement for calcium,  $\frac{1}{60}$  of the minimum daily adult requirement for phosphorus,  $\frac{1}{5}$  of the minimum daily requirement of iron for adults and children over 6 years of age, and  $\frac{1}{4}$  of the minimum daily requirement of iron for children under 6 years of age. The amount of copper provided was essentially inconsequential.

The article was alleged to be misbranded (1) in that the designation in its labeling, "Helio Minerals," was false and misleading as applied to a product which consisted essentially of seaweed, alfalfa, and parsley leaves; (2) in that the statements on its label, "(Dietary Supplement) Contain in Organic (natural) form all of the minerals now known to be essential to nutrition, especially rich in iron, copper," were false and misleading since the article, when taken in accordance with the directions on the label, "3 tablets after breakfast and 3 tablets after evening meal \* \* \* Children over three can be given same amount," would provide but a small fraction of the requirement of adults or children for calcium, phosphorus, and iron, minerals which are known to be essential to nutrition; and also since the article supplied but an inconsequential trace of copper; and (3) in that the statements on its label, "Helio Minerals are prepared in the laboratories of an internationally recognized scientist from his own selection of *Macrosystis Pyrifera* (Giant Kelp) so as to retain their amazing content of minerals," and "Helio Minerals were prepared to supply minerals in large enough amounts to be of real value," were false and misleading since the article was prepared from seaweed (kelp), alfalfa, and parsley leaves, products which do not contain an unusual proportion of mineral constituents; and, when taken as directed, it would supply but a small fraction of the minerals now known to be essential to nutrition. It was alleged to be misbranded further because of false and misleading statements in a circular entitled "Feel Better Look Better Helio Minerals and Helio Natural B-Complex," which accompanied the article, and which represented and suggested that the article would be effective, either alone or in combination with vitamin B-Complex, to fulfill the promises of benefits stated and implied therein, viz., that it would enrich the blood, soothe the nerves, add energy, repair the body, and increase resistance to disease; that it would make the user feel better and look better; that it would protect the bones and teeth, strengthen the nerves, insure good digestion, keep tissues flexible and active, prevent poor muscular control, neutralize excess acids, produce internal cleanliness, aid in the treatment of rheumatism, skin, and other diseases, help one to sleep better, stimulate the appetite, regulate constipation, and strengthen the heart; that it would prevent neuritis, premature aging, cracking of lips, loss of hair, atrophy of oil glands, and loss of weight; and that it would promote growth, strengthen vision, courage, and morale, restore color to graying hair, and reduce dark coloring in birthmarks and freckles.

The article was also alleged to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On September 20, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**1132. Misbranding of Floritone. U. S. v. 5 $\frac{3}{4}$  Dozen Packages of Floritone. Default decree of condemnation and destruction. (F. D. C. No. 10194. Sample No. 19222-F.)**

Examination of a sample of this article showed that it consisted essentially of glucose, dextrin, and whey powder.

On July 7, 1943, the United States attorney for the District of Massachusetts filed a libel against 5 $\frac{3}{4}$  dozen packages of Floritone at Boston, Mass., alleging that the article had been shipped on or about April 12, 1943, by the Nature Food Centres, Inc., from Providence, R. I.; and charging that it was misbranded. The