

RESULTS OF INVESTIGATION: The article in the boxes was repacked from bulk stock shipped as described above.

LIBELED: 7-22-59, S. Dist. Calif.

CHARGE: 501(c)—while held for sale, the strength of the article differed from that which it was represented to possess, namely, ascorbic acid (drum label) 30 milligrams, and (box label) 100% minimum daily requirement in each capsule; 502(a)—the label statements (bulk drum) "Each capsule contains * * * ascorbic acid (as sodium ascorbate) 30 mg." and (box label) "Each capsule contains * * * Vitamin C (ascorbic acid) 100% minimum daily requirement" were false and misleading as applied to a product which contained little if any ascorbic acid; and the box label of the article contained false and misleading representations that the article was adequate and effective to prevent and to stop hangover and to restore perfect balance to the system.

DISPOSITION: 9-16-59 and 9-22-59. Default—delivered to the Food and Drug Administration.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE

5990. Cernelle Pollen tablets. (F.D.C. No. 42893. S. No. 40-252 P.)

QUANTITY: 210 100-tablet btls. at San Francisco, Calif.

SHIPPED: 8-29-58, from Winter Park, Fla., by Cernelle Pollen Co.

LABEL IN PART: (Btl.) "A Concentrated Food Cernelle Pollen Tablets Imported from Sweden Pure Special Treated Pollen High in Amino Acids, Natural Vitamins and Minerals * * * 1-3 Tablets daily * * * Cernelle Pollen Co. Winter Park, Florida"; (btl. top) "Cernelle Pollen Vegeholm Sweden."

ACCOMPANYING LABELING: Circulars entitled "Cernelle Pollen Tablets."

LIBELED: 3-24-59, N. Dist. Calif.

CHARGE: 502(a)—when shipped and while held for sale, the labeling accompanying the article contained false and misleading representations that the article was an adequate and effective treatment to maintain general well-being; to delay the arrival of old age and to keep the body young and virile; to prevent diseases; to purify the blood; and that the article was effective as a laxative and rejuvenator; to develop sound muscles, bones, blood and glands; to better body functions, to produce uncommon vitality; and to cure cancer.

The libel also charged that the article was misbranded under the provisions of the law applicable to foods as reported in notices of judgment on foods.

DISPOSITION: 5-5-59. Default—destruction.

5991. Mill Rue tonic. (F.D.C. No. 41641. S. No. 11-294 P.)

QUANTITY: 196 8-oz. btls. at Bluffton, Ind.

SHIPPED: On or about September, 1957, from Carlock, Ill., by Roy Paxton.

LABEL IN PART: "MILL RUE TONIC HEMATINIC STOMACHIC * * * EACH FLUID OUNCE SUPPLIES * * * MALLOW HERB * * * 5.6 GM (60 GR.) FERRIC AMMONIUM CITRATE 4.95 GR. VITAMIN B₁ * * * 5.69 MG VITAMIN B₂ * * * 3.14 MG. NIACINAMIDE 6.0 MG."