

**RESULTS OF INVESTIGATION:** The article was repacked by the dealer from bulk stock shipped as described above. Examination showed that the article contained approximately 40 percent of the labeled amount of vitamin D.

**LIBELED:** 12-10-59, S. Dist. N.Y.

**CHARGE:** 402(b)(1)—the valuable constituent, vitamin D, had been in whole or in part omitted or abstracted from the article while held for sale; 403(a)—the label statement "Two Fruitti-Vites contain: \* \* \* Vitamin D \* \* \* 500 U.S.P. Units" was false and misleading as applied to the article which contained approximately 40 percent of the declared amount of vitamin D, the label statement "The Vitamin-Mineral Candy For Children" was false and misleading, since the article was not candy but was a special dietary food intended for supplementing the diet of children deficient in the specific vitamins and minerals which it contained, and the label statements "The daily requirements of vitamin B<sub>2</sub> \* \* \* Niacinamide have not been established" and "The need for \* \* \* copper, magnesium \* \* \* potassium \* \* \* in human nutrition has not been established" were false and misleading since the minimum daily requirement for vitamin B<sub>2</sub> and niacinamide and the need for copper, magnesium, and potassium in human nutrition have been established; 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, a statement of the minimum daily requirement for vitamin B<sub>2</sub> and niacinamide supplied by a specified quantity of the food when consumed during the period of 1 day by children.

**DISPOSITION:** 1-22-60. Default—destruction.

**26548. Chamomile flowers.** (F.D.C. No. 44397. S. No. 96-779 P.)

**QUANTITY:** 3 40-kilos bags at New York, N.Y., in possession of West Side Cold Storage Co., Inc.

**SHIPPED:** 5-6-59, from Chemille, France.

**LIBELED:** 3-31-60, S. Dist. N.Y.

**CHARGE:** 402(a)(3)—contained rodent urine; and 402(a)(4)—held under insanitary conditions.

**DISPOSITION:** 5-24-60. Default—destruction.

**26549. Brown gravy (dietary).** (F.D.C. No. 44546. S. No. 3-394 R.)

**QUANTITY:** 39 cases, 24 5-oz. jars each, at Washington, D.C.

**SHIPPED:** 3-15-60, from Woburn, Mass., by Schroeder Industries, Inc.

**LABEL IN PART:** (Jar) "Kitchen Quick Home Style Instant Brown Gravy \* \* \* Contains No Meat or Fat Holiday Coffee Corp. Walpole, Mass. \* \* \* 30 Servings of Low Calorie Tasty Brown Gravy."

**LIBELED:** 4-25-60, Dist. of Columbia.

**CHARGE:** 403(a)—when shipped, the label statement "Low Calorie Tasty Brown Gravy," was false and misleading, since the article was not low in calories; and 403(j)—the article purported to be and was represented as a food for special dietary use in the control of body weight, and its label failed to bear, as prescribed by regulations, a statement of the percent by weight of protein, fat, and available carbohydrates in such food; and the number of available calories supplied by a specified quantity of such food.

**DISPOSITION:** 5-25-60. Default—delivered to the local government for use in public institutions.