

26798. Vitamins. (F.D.C. No. 44695. S. Nos. 6-717/8 R.)

QUANTITY: 9 ctns. containing a total of 31,200 variously colored tablets, each individually wrapped in cellophane envelopes; 10 mounting cards with boxes of tablets attached; 92 mounting cards with 31 envelopes attached, each envelope containing 1 tablet; 2,400 empty boxes; 1,700 sheets, each containing 3 box labels; and 52 cases, each containing 11 boxes; and 1 mounting card containing 31 envelopes each containing 1 tablet; at Boston, Mass., in possession of Brady Associates, Inc., Boston Pharmacal Co. Div.

SHIPPED: The tablets were shipped in bulk containers on 3-10-59, from Philadelphia, Pa.

LABEL IN PART: (Card) "Vitamins the candy-flavored multivitamin" and (box) "One Month's Supply of Vitamins the candy-flavored multivitamin * * * 9 vitamins—9 minerals."

ACCOMPANYING LABELING: Leaflets entitled "Vitamin Instructions," placards reading in part "Your Druggist & Doctor Will Tell You," and folders entitled "Vitamin Prize Catalog."

RESULTS OF INVESTIGATION: The tablets in the boxes and envelopes were repacked from bulk containers and labeled by Brady Associates, Inc.

LIBELED: 6-29-60, Dist. Mass.

CHARGE: 402(b) (1)—while held for sale, the valuable constituents, vitamin B₁₂ and vitamin C, had been in part omitted or abstracted from the article; 403(a)—the label statements (box) "B₁₂ (from cobalamin conc.) 2 mcg. C Ascorbic Acid 30 mg." were false and misleading as applied to a product containing less than the declared amounts of such vitamins; 403(a)—the name "Vitamins" and the label vignette of confectionery were false and misleading since such name and vignette suggested and implied that the article was confectionery, whereas the article was not confectionery; 403(a)—the labeling of the article contained false and misleading suggestions that use of the article would develop good health and insure good health; 403(e) (2)—the article (bulk) failed to bear a label containing an accurate statement of the quantity of contents; 403(i) (2)—the article (bulk) was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient; 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, (bulk) a statement of the proportion of the minimum daily requirement for vitamins A, B₁, B₂, C, D, niacinamide, and iron or iodine supplied by the article when consumed in a specified quantity during the period of one day, and (repack) the statement "The need for calcium pantothenate, cobalt, molybdenum, manganese, and zinc in human nutrition has not been established" and a statement of the proportion of the minimum daily requirement for iron or iodine supplied by the article when consumed in a specified quantity during a period of one day.

DISPOSITION: 8-31-60. Default—destruction.

26799. Algit Norwegian Kelp Meal. (F.D.C. No. 42896. S. No. 42-671 P.)

QUANTITY: 660 50-lb. bags at Spokane, Wash.

SHIPPED: 7-9-58 and 9-12-58, from Kristiansund N, Norway, by Algea Produkter A.S.