DISPOSITION: September 28, 1953. Default decree of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

4233. Misbranding of vitamin and mineral tablets. U. S. v. 12 Bottles, etc. (F. D. C. No. 34884. Sample Nos. 40638–L to 40648–L, incl.)

LIBEL FILED: March 16, 1953, Western District of Washington.

ALLEGED SHIPMENT: On various dates, on and after October 14, 1952, by J. M. Sleighter, from Salem, Oreg.

PRODUCT: 12 bottles of the $12.00-size, 41 bottles of the $5.00-size, and 41 cartons of the sample size of Elemin mineral tablets; 3 bottles of the $12.00-size and 25 bottles of the $5.00-size of multiple vitamin tablets; 6 cartons of the $9.00-size and 5 cartons of the $30.00-size of an article designated as "Royal Formula" and containing a number of Elemin mineral tablets and a number of multiple vitamin tablets; and 7 cartons of the $21.00-size and 4 cartons of the $12.00-size of an article designated as "Supreme Formula," and containing a number of Elemin mineral tablets and a number of multiple vitamin tablets, at Seattle, Wash., together with a number of accompanying leaflets, circulars, and booklets entitled "Elemin Mineral Tablets," "Elemin Mineral Tablets and Royal Formula Multiple Vitamins," "Elemin Mineral Tablets and Supreme Formula Multiple Vitamins," "Mineral Chart," "It's Later Than You Think Watch Your Diet," "Health Facts You Should Know! Elemin Mineral tablets * * *," "Health Facts You Should Know. Compiled by A. Goeke," "Facts You Should Know," "Did You Know That 999 out of every 1000 people lack the proper nutrition," "Young Middle Aged and Elderly People!" "The Following is a Reprint of a Published Article, For Informative and educational purposes only, *not to be used in the sale of any product*," "Soil A Foundation of Health," and "Modern Miracle Men," all of which contained statements relating to the articles.

RESULTS OF INVESTIGATION: Some of the leaflets, circulars, and booklets mentioned above were shipped by J. M. Sleighter from Salem, Oreg., on various dates during 1951, 1952, and 1953, and some of the material was printed locally on the order of Loran S. Stone of Seattle, Wash., the consignee of the products, or obtained by him from a supplier in Milwaukee, Wis.

LABEL, IN PART: (Elemin mineral tablets) "As a Source of the Minerals Iron and Iodine Contains: Iodine and Iron as naturally present in dehydrated kelp, iron gluconate and a sedimentary mineral deposit, with excipients * * * Four Tablets Per Day Will Provide: Iodine–Not less than 0.2 milligrams 200% minimum daily adult requirements. Iron–Not less than 30.0 milligrams 300% minimum daily adult requirements. * * * The ingredients in this product are from dehydrated kelp, iron gluconate and sedimentary mineral deposits"; ($12.00-size and $5.00-size) "Manufactured for Morgan & Bush, Inc. 415 Brower Bldg., Bakersfield, Calif. Distributed Exclusively by–G & J Distributors 1945 Grove St., Berkeley 4, California"; (sample size) "Distributed by G & J Distributors 1945 Grove St., Berkeley 4, Calif."

(G & J Formula No. 701 [or 601] multiple vitamins) "Each 2 Tablets Will Supply: Vitamin A * * * . . . 5,000 U. S. P. Units Vitamin D * * * . . .

*See also Nos. 4225–4227, 4230–4232.