

and form in which he has complied with this order.

IN THE MATTER OF
GENERAL NUTRITION CORPORATION
TRADING AS
NATURAL SALES COMPANY, ET AL.

MODIFIED ORDER, ETC., IN REGARD TO THE ALLEGED VIOLATION OF
THE FEDERAL TRADE COMMISSION ACT

Docket C-1517. Complaint, Apr. 4, 1969—Decision, Nov. 4, 1970

Order modifying a previous consent order dated April 4, 1969, 75 F.T.C. 529,
which prohibited a drug company from making certain claims for the
nutritional significance of vitamin and mineral ingredients.

ORDER MODIFYING CEASE AND DESIST ORDER

The respondents having made no response to the Commission's order to show cause dated July 1, 1970 on or before the thirtieth day after service thereof,

It is ordered, That Paragraph 2 of the Commission's order dated April 4, 1969 [75 F.T.C. 529], be, and it hereby is, modified to read as follows:

Paragraph 2. Disseminating, or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement of a product which is advertised or promoted for sale by reason of its vitamin and/or mineral content, which lists, or otherwise refers to as an ingredient, except in the name of such product, any ingredient, the need for which in human nutrition has not been established, or any ingredient whose presence in the preparation is without nutritional significance, unless the advertisement also discloses clearly and conspicuously, in immediate or close proximity, and with equal prominence, that the presence of such ingredient in such preparation is without nutritional significance; nor shall any representation be made that the need for such an ingredient in such product for human nutrition has been established.

For the purposes of enforcement of this paragraph, any regulation by the Food and Drug Administration, in full force and effect, which affirmatively permits claims for nutritional significance of a vitamin or mineral in a specified amount in a product labeled for use as a food supplement, will be accepted as evidence that the presence of that amount of the specified nutrient has nutritional significance.

IN THE MATTER OF

ALLEN V. SMITH, INC.

ORDER OF DISMISSAL, ETC., IN REGARD TO THE ALLEGED VIOLATION
OF SEC. 2(A) OF THE CLAYTON ACT

Docket 6877. Complaint, Aug. 23, 1957—Decision, Nov. 5, 1970

Order reopening decision of Commission dated Jan. 22, 1958, 54 F.T.C. 967, requiring a packer of dried fruit products to cease discriminating in price, rescinding the order and dismissing the complaint.

ORDER AND DECISION REOPENING PROCEEDING, RESCINDING