

ALLEGED SHIPMENT: On or about June 8 and 15, 1948, by S. & R. Laboratories, Inc., from Chicago, Ill.

PRODUCT: 310 12-ounce bottles of *Vit-An-Min* at Toledo, Ohio, together with 1,300 circulars entitled "Add to Your Diet with Vit-An-Min." Sales of this product were made on the basis of lectures given at the store of the consignee by Edward S. Haller, a representative of the S. & R. Laboratories, Inc. Examination showed that the product was an orange, powdered material containing calcium, phosphorus, and iron.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading. These statements represented and suggested that common food cannot be relied upon to supply the vitamins and minerals essential to man for normal health, and that it is necessary to add the article to your diet. There is no difficulty in obtaining the vitamins and minerals needed by the consumption of common foods.

Further misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use in the treatment of nervous and ulcerated stomach, arthritis, neuritis, rheumatism, anemia, underweight, and overweight, and to obviate the need for changes in eyeglasses, which were the diseases, symptoms, and conditions for which the article was offered in its advertising disseminated and sponsored by or on behalf of the manufacturer, packer, or distributor.

DISPOSITION: August 30, 1948. Default decree of condemnation and destruction.

2506. Misbranding of Cravex. U. S. v. 35 Small Cartons, etc. (F. D. C. No. 25136. Sample No. 756-K.)

LIBEL FILED: August 19, 1948, Southern District of Florida.

ALLEGED SHIPMENT: On or about May 8, 1948, by Plant Products Co., Inc., from Burbank, Calif.

PRODUCT: 35 small and 11 large cartons of *Cravex* at Jacksonville, Fla.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate direction for use, since it failed to reveal the reason for its use as directed in the labeling, namely, "one powder twice daily in food or liquid."

DISPOSITION: October 26, 1948. Default decree of condemnation and destruction.

2507. Misbranding of Spectro-Chrome. U. S. v. 1 Device * * * (and 5 other seizure actions). (F. D. C. Nos. 25038, 25121, 25122, 25200, 25209, 25210. Sample Nos. 6691-K, 15219-K, 15220-K to 15222-K, incl., 31620-K.)

LIBELS FILED: July 15, 23, and 30, and September 13, 1948, Western District of New York, Northern District of Illinois, and Southern District of California.

ALLEGED SHIPMENT: On or about December 8, 1947, and February 9 and March 1 and 26, 1948, by the Dinshah Spectro-Chrome Institute, from Malaga, N. J.

PRODUCT: 6 *Spectro-Chrome* devices at Lackawanna, N. Y., Blue Island, Chicago, and Rockford, Ill., and Redlands, Calif. The device consisted of a cabinet equipped with a 1,000-watt floodlight bulb, an electric fan, a container for water for cooling purposes, two glass condenser lenses for concentrating the light, and glass slides of different colors.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended.

DISPOSITION: August 16, September 14, and October 5 and 12, 1948. Default decrees of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

2508. Adulteration and misbranding of Scheuerman's Herb Compound No. 1. U. S. v. Charles Scheuerman. Plea of guilty. Sentence of 1 year and 1 day on each count, to run concurrently; sentence suspended and defendant placed on probation for 1 year and 1 day. (F. D. C. No. 24248. Sample Nos. 63636-H, 68819-H.)

INDICTMENT RETURNED: July 9, 1948, Southern District of Ohio, against Charles Scheuerman, Cincinnati, Ohio.

ALLEGED SHIPMENT: On or about April 17, 1946, and March 22, 1947, from the State of Ohio into the States of New York and Illinois.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in part of a filthy substance by reason of the presence of insect fragments and rotten and moldy plant material; and, Section 501 (a) (2), it had been prepared and packed under insanitary conditions whereby it may have become contaminated with filth.

Misbranding, Section 502 (b) (2), the article in the April 17, 1946, shipment failed to bear a label containing an accurate statement of the quantity of the contents, in that the label affixed to the bottle bore no statement of the quantity of the contents.

DISPOSITION: July 21, 1948. A plea of guilty having been entered, the court sentenced the defendant to serve 1 year and 1 day on each of the 3 counts of the information, with the sentence on each count to run concurrently. The sentence was suspended and the defendant was placed on probation for 1 year and 1 day.

2509. Adulteration of chamomile flowers. U. S. v. 35 Bags, etc. (F. D. C. No. 25089. Sample No. 9934-K.)

LIBEL FILED: July 14, 1948, Southern District of New York.

ALLEGED SHIPMENT: From the country of Hungary to New York, N. Y. The product was received in New York on May 15, 1947.

PRODUCT: 35 bags containing a total of 2,010 pounds and 34 cases containing a total of 3,967 pounds of *chamomile flowers* at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 7, 1948, The Meer Corporation, New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for cleaning, fumigating, and sifting, under the supervision of the Federal Security Agency.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

2510. Adulteration of triple distilled water, solution anterior pituitary, ovarian extract, and ampuls of sodium iodide. U. S. v. Torigian Laboratories, Inc., and John Torigian. Plea of guilty for corporation on all four counts and plea of guilty for individual on count 1. Fine of \$1,000 against corporation; individual fined \$800 on count 1 and placed on probation for two years. Counts 2, 3, and 4 against individual dismissed. (F. D. C. No. 17881. Sample Nos. 78856-F, 87034-F, 16512-H, 16514-H, 16520-H.)

INFORMATION FILED: March 17, 1947, Eastern District of New York, against the Torigian Laboratories, Inc., Queens Village, New York, N. Y., and John Torigian, president of the corporation.

ALLEGED SHIPMENT: On or about July 15, August 30, and December 12, 1944, and January 26, 1945, from the State of New York into the States of Michigan and Illinois.

NATURE OF CHARGE: *Triple distilled water.* Adulteration, Section 501 (b), the article purported to be and was represented as "Water for Injection," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, and its quality and purity fell below the official standard by reason of the presence of undissolved material and pyrogens; and the difference in quality and purity of the article from the official standard was not plainly stated, or stated at all, on its label.

Solution anterior pituitary and ovarian extract. Adulteration, Section 501 (b), the purity and quality of the articles fell below that which they purported and were represented to possess. They purported and were represented to be of a purity and quality suitable and appropriate for intramuscular injection and use, which use requires a sterile product. The articles were not of such purity or quality, since they were not sterile and were contaminated with living micro-organisms.

Ampuls of sodium iodide. Adulteration, Section 501 (b), the article purported to be and was represented as "Ampuls of Sodium Iodide," a drug the

*See also Nos. 2547, 2548 (veterinary preparations).