

DISPOSITION: On or about 1-6-59, the Cornell Drug Corp., appeared as claimant and filed an answer denying that the article was misbranded or a new drug. Subsequently, the Government filed written interrogatories which were answered by the claimant. Thereafter, the case was held in abeyance pending the disposition of a similar proceeding in the District of New Jersey. Following the decision in favor of the Government which was made by the court in the New Jersey case, as reported above in notice of judgment No. 6304, the Government filed, in the District of Kansas, a motion for summary judgment in the instant case. The motion was granted, and, on 5-28-60, a judgment was entered condemning the article and ordering it destroyed.

6308. Pangamatin vitamin B₁₅ capsules and Vi-Cardia capsules. (F.D.C. No. 43583. S. Nos. 42-484/5 P.)

QUANTITY: 14 60-capsule btl., 1 100-capsule btl., and 3 500-capsule btl., of *Pangamatin vitamin B₁₅ capsules*, and 10 100-capsule btl. of *Vi-Cardia capsules*, at Portland, Oreg.

SHIPPED: 9-28-59 and 10-12-59, from San Francisco, Calif., by John Beard Memorial Foundation.

LABEL IN PART: "Pangamatin Vitamin B-15 Each capsule contains 75 Mgm. * * * Distributed by Pacific Pharmacal, Portland, Oregon" and "Vi-Cardia Four Capsules contain: Betaine 200 mg. Pangamic acid (vitamin B-15) 50 mg. Pyridoxine (vitamin B-6) 10 mg. Alpha tocopherol succinate 200 mg. Inositol 500 mg. Ascorbic Acid 200 mg. Citrus bioflavonoids 100 mg. * * * Distributed by Pacific Pharmacal Portland, Oregon."

RESULTS OF INVESTIGATION: The articles were shipped in bulk and after arrival at Portland, Oreg., were repacked into the above-mentioned bottles.

LIBELED: 10-13-59, Dist. Oreg.; amended libel 12-11-59.

CHARGE: 505(a)—the articles were new drugs which may not be introduced or delivered for introduction into interstate commerce since applications filed pursuant to law were not effective with respect to such drugs.

DISPOSITION: Gregory Gordon, t/a Pacific Pharmacal, Portland, Oreg., filed an answer denying that the articles were new drugs. Thereafter, interrogatories and requests for admissions were served upon the claimant but no response was made thereto. Accordingly, on 6-27-60, a default decree was entered providing for condemnation of the articles and their delivery to the Department of Health, Education, and Welfare.

6309. Royal jelly capsules. (F.D.C. No. 40577. S. Nos. 48-776/7 M.)

QUANTITY: 17 1,000-capsule boxes and 500 30-capsule boxes at Detroit, Mich., in possession of Prairie View Honey Co.

SHIPPED: Between 6-10-57 and 7-17-57, from South Pasadena, Calif.

LABEL IN PART: "Prairie View Queen Bee Royal Jelly Capsules each capsule contains: Royal Queen Bee Jelly 25 mg. [or 50 "mgm."] Vitamin B-1 (Thiamin) 5 mg. Calcium Pantothenate 5 mg."

ACCOMPANYING LABELING: Books entitled "The Miracle of Royal Jelly" by Raymond DuBois, and sheets entitled "Let This 'Miracle of Nature' Begin Working for You Today!"

RESULTS OF INVESTIGATION: The royal jelly was shipped from California to Detroit, Mich., at the above times, and thereafter, with other ingredients, was formulated, encapsulated, and shipped to the Prairie View Honey Co.

The books were purchased by the dealer from the publisher or a jobber and the sheets were mimeographed in the dealer's office.

LIBELED: 8-30-57, E. Dist. Mich.

CHARGE: 502(a)—while held for sale, the labeling which accompanied the article contained false and misleading representations that it was an adequate and effective preventive and treatment for cancer, "what ails you," rejuvenation of the aged, keeping one young, adding years to one's life, healing ulcers, seborrhea, infectious hepatitis, stomatitis, eczema, acne, diabetes, cirrhosis of the liver, aiding growth, fertility in women past the menopause, rejuvenation of sexual activity, stimulation of appetite, elimination of nervous and vascular disorders, for heart disease, liver ailments and hemorrhoids, increasing mental activity, pimples, blackheads, other skin blemishes, rejuvenating the tissues of the skin, and other purposes; and 505(a)—the article was a new drug which may not be shipped in interstate commerce since an application filed pursuant to law was not effective with respect to the drug.

DISPOSITION: On 2-27-58, after consent of the parties, a decree of condemnation was entered finding the article misbranded within the meaning of 502(a) and dismissing the other allegations with prejudice, particularly the allegations claiming that the article was a new drug. The article was subsequently destroyed.

DRUGS FOR VETERINARY USE

6310. Ferrovite (veterinary). (F.D.C. No. 44515. S. No. 38-868 R.)

QUANTITY: 27 individually ctnd. vials at Springfield, Mo.

SHIPPED: 3-24-60 and 3-26-60, by Corn Belt Laboratories, East St. Louis, Ill.

LABEL IN PART: (Vial and ctn.) "Ferrovite."

LIBELED: On or about 7-13-60, W. Dist. Mo.

CHARGE: 505(a)—the article was a new drug which may not be introduced into interstate commerce since an application filed pursuant to law was not effective with respect to the drug.

DISPOSITION: 9-15-60. Default—destruction.

6311. Feraject (veterinary). (F.D.C. No. 43380. S. Nos. 52-630 P, 52-632 P.)

QUANTITY: 95 cases of 12 30-cc. btls. and 36 cases of 12 100-cc. btls. at Mankato, Minn.

SHIPPED: 4-6-59 and 6-13-59, from Des Moines, Iowa, by Diamond Laboratories.

LABEL IN PART: (Btl.) "Feraject with neojel amylose complex injectable iron * * * treatment and prevention of iron deficiency anemia in baby pigs. Each 2 cc's contain the equivalent of 100 mgs. elemental iron as an amylose-iron complex * * * with vitamin B₁₂ Activity 4 megs. cobalt 10 megs. zinc 1 mg. * * * pyridoxine hydrochloride (vitamin B₆) 2 mg. and neojel in isotonic solution * * * Diamond Laboratories, Des Moines Iowa."

LIBELED: 6-30-59, Dist. Minn.

CHARGE: 505(a)—the article was a new drug which may not be introduced into interstate commerce since an application filed pursuant to law was not effective with respect to such drug.

DISPOSITION: 11-7-60. Default—destruction.