

DISPOSITION: February 17, 1947. Pleas of guilty having been entered, the court imposed fines of \$200 each against the corporation and the individual defendants, a total fine of \$600.

12770. Adulteration of vitamin preparations. U. S. v. Victor M. Hermelin (Keith-Victor Pharmacal Co.). Plea of nolo contendere. Fine, \$200. (F. D. C. No. 22078. Sample Nos. 5452-H, 19327-H, 19330-H.)

INFORMATION FILED: On or about June 10, 1947, Eastern District of Missouri, against Victor M. Hermelin, a member of the partnership of the Keith-Victor Pharmacal Co., St. Louis, Mo.

ALLEGED SHIPMENT: Between the approximate dates of January 7 and February 15, 1946, from the State of Missouri into the States of Iowa and Pennsylvania.

PRODUCT: A portion of the products was invoiced as "Sugar Coated Brown A-B-D-G Spheroid Gelatin Capsules," and the remainder of the products was labeled "Sugar Coated Orange Round Nine Vitamin Spheroids."

NATURE OF CHARGE: Sugar Coated Brown Four Vitamin Spheroids. Adulteration, Section 402 (b) (1), valuable constituents, vitamin B₁ and vitamin D, had been in part omitted and abstracted. The article was represented to contain 1 milligram (equivalent to 333 U. S. P. units) of vitamin B₁ and 500 U. S. P. units of vitamin D per capsule, but contained smaller amounts of vitamin B₁ and vitamin D.

Sugar Coated Orange Round Nine Vitamin Spheroids. Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted and abstracted. The article was represented to contain 1,000 U. S. P. units of vitamin D per spheroid, but contained a smaller amount.

DISPOSITION: October 10, 1947. A plea of nolo contendere having been entered, the court imposed a fine of \$200.

12771. Adulteration and misbranding of Hydil Tablets. U. S. v. 59 Bottles * * *. (F. D. C. No. 22758. Sample No. 66152-H.)

LIBEL FILED: April 9, 1947, District of New Jersey.

ALLEGED SHIPMENT: On or about October 11, 1946, by Lems Laboratories, Inc., from Philadelphia, Pa.

PRODUCT: 31 \$3-size bottles and 28 \$1.50-size bottles of Hydil Tablets at Camden, N. J. Examination showed that the article contained less than the declared amount of niacinamide.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, niacinamide, had been in whole or in part omitted from the article.

Misbranding, Section 403 (a), the label statement "Contains in each tablet * * * niacinamide 5 milligrams" was false and misleading.

DISPOSITION: May 16, 1947. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

12772. Adulteration and misbranding of vitamin tablets. U. S. v. 3 Bottles, etc. (F. D. C. No. 20233. Sample No. 5452-H.)

LIBEL FILED: June 7, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 15, 1946, by the Keith-Victor Pharmacal Co., from St. Louis, Mo. The product was shipped in bulk and relabeled by the consignee.

PRODUCT: 62 bottles containing a total of 29,800 vitamin tablets at Philadelphia, Pa. These tablets contained less than 1,000 units of vitamin D.

LABEL, IN PART: (When shipped, drum) "Sugar Coated Orange Round Nine Vitamin Spheroids Each Spheroid Contains: Vitamins * * * D Activated Ergosterol 1,000 USP Units."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statement "Each Spheroid Contains: Vitamins * * * D Activated Ergosterol 1,000 USP Units" was false and misleading.

DISPOSITION: September 4, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.