

12776. Adulteration and misbranding of Derbetain Broth Powder. U. S. v. 35 Cases * * *. (F. D. C. No. 20066. Sample No. 37481-H.)

LIBEL FILED: June 12, 1946, Western District of Washington.

ALLEGED SHIPMENT: On or about February 17 and July 26 and 27, 1945, by Heller Runnels Laboratories, from Los Angeles, Calif.

PRODUCT: 35 cases, each containing 24 6-ounce cans, of Derbetain Broth Powder at Seattle, Wash.

LABEL, IN PART: "Derbetain Tomato Flavor Broth Powder."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statement "Each rounded teaspoonful (.3 oz.) supplies 50% of the daily adult minimum requirements of vitamin B₁" was false and misleading. The article would not provide the stated proportion of the minimum daily requirement for vitamin B₁.

DISPOSITION: August 30, 1946. Dermetics, Inc., Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for the purpose of relabeling, under the supervision of the Food and Drug Administration.

12777. Misbranding of Major B Complex Tablets. U. S. v. 80 Dozen Cartons, etc. (F. D. C. No. 22932. Sample Nos. 74516-H to 74518-H, incl.)

LIBEL FILED: April 15, 1947, District of New Hampshire.

ALLEGED SHIPMENT: On or about February 16 and March 16, 1943, and April 1, 1944, by Major Vitamins, Inc., from New York, N. Y.

PRODUCT: Major B Complex Tablets. 80 dozen cartons, each containing 24 tablets; 47 so-called "deals," each consisting of 6 100-tablet bottles; 6 cartons of 48 tablets each and 6 cartons of 24 tablets each; and 44 dozen cartons, each containing 1 bottle of 100 tablets, at Keene, N. H.

LABEL, IN PART: "Major B Brand Natural Vitamin B Complex with added Thiamine."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements and designs in the labeling of the article were false and misleading.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2225, in which is set forth the nature of the false and misleading statements referred to above.

DISPOSITION: August 19, 1947. Default decree of condemnation and destruction.

12778. Misbranding of Trymm (dietary supplement). U. S. v. 55 Cases * * *, and a number of leaflets. (F. D. C. No. 22167. Sample No. 69871-H.)

LIBEL FILED: January 9, 1947, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about October 22 and November 8, 1946, by Barjay Products, Inc., from Toledo, Ohio.

PRODUCT: 41 cases, each containing 24 125-tablet bottles, and 14 cases, each containing 12 125-tablet bottles, of Trymm at Detroit, Mich., and a number of leaflets entitled "Reduce." Examination showed that the article contained approximately the amounts of calcium, phosphorus, and iron declared on the label, but no vitamin A or C. These two vitamins are essential to normal metabolism in man.

LABEL, IN PART: (Bottle) "Trymm A supplement to the Diet Each tablet contains Vitamin B-1 (Thiamin Chloride) 0.333 mgm., Vitamin B-2 (Riboflavin) 0.666 mgm., Vitamin D (Irradiated Yeast) 133.33 USP Units, Niacinamide 1.67 mgm., Calcium (Calcium Pyrophosphate) 325.00 mgm., Phosphorus (Calcium Pyrophosphate) 250.00 mgm., Iron (Iron Pyrophosphate) 3.33 mgm."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements concerning the article in the leaflets were false and misleading, since they represented and suggested that the article would be effective to cause loss of body weight, to prevent hunger, to insure health, and to furnish the average adult with the minimum daily requirements for vitamins and minerals, whereas the article would not be effective for such purposes.

DISPOSITION: March 14, 1947. Barjay Products, Inc., having admitted the allegations of the libel, judgment of condemnation was entered and the product was