

ordered released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency.

**12779. Misbranding of L'Vito Peptrons. U. S. v. 357 Bottles \* \* \*. (F. D. C. No. 23202. Sample No. 68396-H.)**

**LIBEL FILED:** June 19, 1947, Western District of Oklahoma.

**ALLEGED SHIPMENT:** On or about February 25, 1947, by Oxford Products, Inc., from Cleveland, Ohio.

**PRODUCT:** 357 75-tablet bottles of L'Vito Peptrons at Oklahoma City, Okla. Examination showed that the product contained approximately 3.8 milligrams of iron per tablet.

**LABEL, IN PART:** "L'Vito Peptrons 75 Tablets Contents: Iron Peptonized Haemoglobin Reduced Iron Natural Vitamin B Complex from Yeast Calcium Pantothenate Niacin Dehydrated Whole Yeast And Added Vitamin B<sub>1</sub> (Thiamin Chloride) B<sub>2</sub>, B<sub>6</sub> \* \* \* DIRECTIONS Adults: Take one or two tablets three or four times a day one hour before meals and at bed-time \* \* \* A General Tonic supplying a supplementary source of Vitamin B<sub>1</sub> and Peptonized Haemoglobin Reduced Iron."

**NATURE OF CHARGE:** Misbranding, Section 403 (j), the article purported to be a food for special dietary uses by reason of its calcium pantothenate, niacin, vitamins B<sub>1</sub>, B<sub>2</sub>, and B<sub>6</sub>, and iron content; its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of vitamins B<sub>1</sub>, B<sub>2</sub>, and iron, and the amounts of vitamin B<sub>6</sub>, calcium pantothenate, and niacin supplied by the article when consumed in a specified quantity during a period of 1 day; and its label failed also to bear, as required by regulations, the statement "The need for vitamin B<sub>6</sub> and calcium pantothenate in human nutrition has not been established."

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. 2226.

**DISPOSITION:** July 21, 1947. Default decree of condemnation and destruction.

**12780. Misbranding of Nova Kelp tablets. U. S. v. 48 Bottles \* \* \*. (F. D. C. No. 23460. Sample No. 39024-H.)**

**LIBEL FILED:** June 27, 1947, Eastern District of Michigan.

**ALLEGED SHIPMENT:** Between the approximate dates of April 16, 1945, and March 18, 1947, by the Johnstone Drug Sales Corp., from Rochester, N. Y.

**PRODUCT:** 11 150-tablet bottles, 32 300-tablet bottles, and 5 750-tablet bottles of Nova Kelp at Detroit, Mich. Examination showed that the product consisted of dried seaweed containing, per tablet, 1.19 milligrams of iodine, 2.91 milligrams of iron, 5.66 milligrams of calcium, 0.009 milligram of copper, 1.07 milligrams of phosphorus, and lesser quantities of other elements in chemical combination.

**LABEL, IN PART:** "Nova Kelp From Nova Scotia A Deep-Sea Edible Plant With No Added Drugs or Chemicals."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Dietary Supplement Rich in \* \* \* Calcium, Copper, Sodium, Magnesium, Potassium, Phosphorus" was false and misleading, since the article was not a rich dietary supplement of such minerals. Further misbranding, Section 403 (j), the article purported to be, and was represented as, a food for special dietary uses by reason of its iodine, iron, calcium, copper, sodium, magnesium, potassium, and phosphorus content; and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of calcium, phosphorus, iodine, and iron, and the amounts of copper, sodium, magnesium, and potassium supplied by the article when consumed in a specified quantity during a period of 1 day.

**DISPOSITION:** October 10, 1947. Default decree of condemnation and destruction.

**12781. Misbranding of saccharin tablets. U. S. v. 338 Dozen Envelopes of Saccharin Tablets. Tried to the court. Verdict for the Government. Judgment of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 18353. Sample No. 495-H.)**

**LIBEL FILED:** November 13, 1945, Southern District of Georgia.