

DISPOSITION: December 10, 1948. The defendant having consented to the entry of a decree, a permanent injunction was granted enjoining and restraining the defendant from shipping in interstate commerce an article under the trade name Paracelsus, or under any other name, which was adulterated or misbranded as alleged.

14292. Adulteration and misbranding of Multi-Vitamins. U. S. v. Drum * * * . (F. D. C. No. 26402. Sample No. 12053-K.)

LIBEL FILED: January 11, 1949, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 1, 1948, by Brewer & Co., Inc., from Worcester, Mass.

PRODUCT: 1 drum, containing approximately 7,800 capsules, of Multi-Vitamins at Philadelphia, Pa. The product contained less than 2 milligrams of vitamin B.

LABEL, IN PART: (Drum) "A. B. G. Capsules Each Capsule Contains Vitamins: * * * B₂ (1 MDR) 2 mg."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent vitamin B₂, had been in whole or in part omitted.

Misbranding, Section 403 (a), the statement "Each Capsule Contains Vitamins * * * B₂ (1 MDR) 2 mg." was false and misleading as applied to an article containing less than 2 milligrams of vitamin B₂.

DISPOSITION: February 15, 1949. Default decree of condemnation and destruction.

14293. Misbranding of Lemel. U. S. v. 300 Dozen Packages * * * . (F. D. C. No. 26006. Sample No. 2748-K.)

LIBEL FILED: November 4, 1948, District of Columbia.

ALLEGED SHIPMENT: On or about October 28, 1948, by the Serutan Co., from Newark, N. J.

PRODUCT: 300 dozen packages of Lemel at Washington, D. C.

LABEL, IN PART: (Package) "Lemel 20 Packets Each Packet Contains Vitamin C Equal to 7 Lemons (Av.) Ingredients: Dextrose, lemon powder, oil of lemon, oil of lime, potassium bitartrate and tartaric acid (from grapes), potassium citrate, ascorbic acid, thiamin hydrochloride, riboflavin, niacin, niacinamide, potassium phosphate, magnesium carbonate, calcium carbonate. Lo-Calory Food Corp., New York, N. Y. Each Lemel Packet Contains: Vitamin C . . . 150 mgs. (5 MDR), Vitamin B₁ . . . 5 mgs. (5 MDR), Riboflavin . . . 2 mgs. (1MDR), Niacin . . . 25 mgs., Niacinamide . . . 25 mgs.* MDR-Minimum Daily Requirement. *Mdr not established."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement in the labeling of the article, "To fortify any beverage with * * * Vitamin B complex add 1 Lemel packet per quart," was false and misleading since the article would not supply the various factors of the vitamin B complex.

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.

DISPOSITION: December 15, 1948. The Lo-Calory Food Corp., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered released under bond for relabeling, under the supervision of the Food and Drug Administration.