

and implied; and one ounce was not equal in food value to the total value of the foods listed.

Further misbranding, Section 403 (j), the product purported to be, and was represented, for special dietary uses by man by reason of its vitamin properties in respect to vitamin A, vitamin G, and vitamin E, and by reason of its mineral properties in respect to calcium, iron and phosphorus; and its label did not bear as required by the regulations a statement of the proportion of the minimum daily requirement for vitamin A and vitamin G which would be supplied by the product when consumed in a specified quantity during a period of one day; the label did not bear a statement of the quantity of vitamin E in a specified quantity of the article; the label failed to bear a statement that the need in human nutrition for vitamin E has not been established; and it failed to bear a statement of the proportion of the minimum daily requirement for calcium, iron, and phosphorus which would be supplied by the product when consumed in a specified quantity during a period of one day.

**DISPOSITION:** June 24, 1949. A plea of nolo contendere having been entered, the defendant was fined \$300.

**15647. Adulteration and misbranding of vitamin and mineral tablets and vitamin A and D tablets. U. S. v. 1 Drum, etc. (and 1 other seizure action).**  
(F. D. C. Nos. 26009, 26087. Sample Nos. 22975-K, 22976-K, 22980-K, 23881-K to 23883-K, incl.)

**LIBELS FILED:** November 22 and 24, 1948, Northern District of Alabama.

**ALLEGED SHIPMENT:** Between the approximate dates of March 16 and August 16, 1945, from St. Louis, Mo.

**PRODUCT:** 24 drums containing approximately 589,020 vitamin and mineral tablets and 1 drum containing approximately 53,425 vitamin A and D tablets at Birmingham, Ala.

**LABEL, IN PART:** "Sugar Coated White Vitamin and Mineral Tablets. Three tablets a day contain: Vitamin A 5000 U. S. P. Units \* \* \* Vitamin B<sub>1</sub> \* \* \* 333 U. S. P. Units 1 mg \* \* \* Vitamin C \* \* \* 600 U. S. P. Units 50 mg." and "Sugar Coated Yellow Vitamin A and D Tablets. Each tablet contains: Vitamin A \* \* \* 4000 U. S. P. Units Vitamin D \* \* \* 400 U. S. P. Units."

**NATURE OF CHARGE:** Vitamin and mineral tablets. Adulteration, Section 402 (b) (1), valuable constituents, vitamins A and B<sub>1</sub> and (94,590 tablets only) vitamin C, had been in part abstracted from the product.

Misbranding, Section 403 (a), the label statements "Three tablets a day contain: Vitamin A \* \* \* 5000 U. S. P. Units \* \* \* Vitamin B<sub>1</sub> \* \* \* 333 U. S. P. Units 1 mg. \* \* \* Vitamin C \* \* \* 600 U. S. P. Units 50 mg." were false and misleading since the product contained less than the stated amounts of vitamins A and B<sub>1</sub>, and a portion of the product, in addition contained less than the stated amount of vitamin C.

Vitamin A and D tablets. Adulteration, Section 402 (b) (1), valuable constituents, vitamins A and D, had been in part abstracted from the product. Misbranding, Section 403 (a), the label statements "Each tablet contains: Vitamin A \* \* \* 4000 U. S. P. Units Vitamin D \* \* \* 400 U. S. P. Units" were false and misleading since the product contained less than the stated amounts of vitamins A and D.

The products were adulterated and misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 30, 1949. The Veltex Co., claimant, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the products be released under bond to be relabeled under the supervision of the Food and Drug Administration.

**15648. Misbranding of miscellaneous salvaged foods (vitamins). U. S. v. 25 Crates, etc. (F. D. C. No. 27154. Sample No. 62100-K.)**

**LIBEL FILED:** April 21, 1949, District of Massachusetts.

**ALLEGED SHIPMENT:** On or about April 17, 1948, by the Underwriter Salvage Co. of New York, from Providence, R. I.

**PRODUCT:** 25 crates and 36 cartons of miscellaneous salvaged foods at West Lynn, Mass. Some of the material had been fire-damaged, and some bottles and jars were unlabeled; also, in some bottles a number of tablets had partially disintegrated, and in other bottles some tablets had fused and adhered to the bottoms of the bottles.

**NATURE OF CHARGE:** Misbranding, Section 403 (e) (2), the labels of the articles failed to bear accurate statements of the quantity of the contents.

The libel alleged also that certain products included in the shipment were misbranded under the provisions of the law applicable to drugs and cosmetics, as reported in notices of judgment on drugs and devices and in notices of judgment on cosmetics.

**DISPOSITION:** May 26, 1949. The Triangle Sales Corp., Lynn, Mass., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the products be released under bond to be brought into compliance with the law, under the supervision of the Federal Security Agency. The unfit portion of the products was segregated and destroyed.

**15649. Misbranding of Special Yeast Amino Acids Tablets. U. S. v. 25,000 Tablets, etc. (F. D. C. No. 27004. Sample No. 46659-K.)**

**LIBEL FILED:** April 19, 1949, Western District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about August 24, 1948, by the Savoy Drug & Chemical Co., from Chicago, Ill.

**PRODUCT:** 25,000 Special Yeast Amino Acids Tablets at Pittsburgh, Pa.

**LABEL, IN PART:** "Special Tablets \* \* \* Yeast Amino Acids."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Amino Acids (derived from 2 protein Hydrolysate made from Casein)" was misleading since it represented and suggested that the article would provide nutritionally significant amounts of amino acids, whereas the article was worthless as a dietary source of amino acids.

The libel alleged also that a portion of the product which had been repackaged and relabeled "Amo-Tabs Amino Acid Tablets" and certain other products were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2915.

**DISPOSITION:** April 26, 1949. David B. Shakarian, claimant, having admitted that the allegations of the libel were true, judgment was entered ordering that the products be released under bond for relabeling under the supervision of the Federal Security Agency.