

false and misleading as applied to the article, which contained less than the declared amount of thiamine hydrochloride (vitamin B<sub>1</sub>).

DISPOSITION: November 10, 1949. Default decree of condemnation and destruction.

**15697. Misbranding of Rex Wheat Germ Oil. U. S. v. VioBin Corp. Plea of nolo contendere. Fine, \$1,000. (F. D. C. No. 25608. Sample Nos. 83115-H, 15069-K, 24748-K.)**

INFORMATION FILED: April 11, 1949, Eastern District of Illinois, against the VioBin Corp., Monticello, Ill.

ALLEGED SHIPMENT: On or about February 26, 1947, and May 10, 1948, from the State of Illinois into the States of Ohio, Wisconsin, and Michigan.

LABEL, IN PART: "Rex Wheat Germ Oil A cold processed, biologically tested, stable wheat germ oil."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements in the labeling of the article were false and misleading. The nature of these false and misleading statements is set forth in notices of judgment on drugs and devices, No. 2970.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notice of judgment, No. 2970, referred to above.

DISPOSITION: November 17, 1949. A plea of nolo contendere having been entered, the court imposed a fine of \$1,000.

**15698. Adulteration and misbranding of vitamin oil. U. S. v. 17 Drums \* \* \*. (F. D. C. No. 27432. Sample No. 20573-K.)**

LIBEL FILED: On or about July 11, 1949, Western District of Missouri.

ALLEGED SHIPMENT: On or about October 11, 1948, from San Francisco, Calif.

PRODUCT: 17 54-gallon drums of vitamin oil at Kansas City, Mo.

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

Misbranding, Section 403 (a), the label statement "Guaranteed not less than \* \* \* 454,000 U. S. P. Vitamin A Units per pound (1,000 units per gram)" was false and misleading as applied to an article which contained less than 454,000 U. S. P. units of vitamin A per pound (1,000 units per gram).

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: September 22, 1949. The California Packing Sales Co., San Francisco, Calif., having appeared as claimant, judgment was entered providing for the release of the product under bond, to be brought into compliance with the law. The product subsequently was relabeled.

**15699. Adulteration of fenugreek tea. U. S. v. 4 Cases \* \* \* (and 2 other seizure actions). (F. D. C. Nos. 24473, 24575, 24602. Sample Nos. 36466-K, 36467-K, 36475-K, 37025-K.)**

LIBELS FILED: March 9 and 29 and April 16, 1948, Western District of Washington.

ALLEGED SHIPMENT: On or about December 9, 1947, and January 21 and March 16, 1948, by the Nutrition Enterprises, from Chicago, Ill.