

**PRODUCT:** 78 100-pound bags of chili peppers at Brooklyn, N. Y., in the possession of Bowne-Morton Stores, Inc.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insects, rodents, rodent excreta, and dirt; and, Section 402 (a) (4), the article had been held under insanitary conditions whereby it may have become contaminated with filth. The article was adulterated while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 20, 1953. Default decree of condemnation and destruction.

## VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE\*

**20149. Adulteration and misbranding of vitamin capsules. U. S. v. 11  
Drums \* \* \*. (F. D. C. No. 34394. Sample Nos. 41713-L, 41714-L.)**

**LIBEL FILED:** December 9, 1952, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about April 16 and 22, 1952, by the Jamieson Pharmacal Co., from Detroit, Mich.

**PRODUCT:** 11 drums of vitamin capsules at Philadelphia, Pa. Each drum contained 15,000 capsules

Analysis showed that the product contained 54 percent of the declared amount of vitamin B<sub>1</sub> and 6 percent of the declared amount of vitamin C.

**LABEL, IN PART:** (Drum) "High Potency Clini-B With Vitamin C Capsules \* \* \* Each Capsule Contains: Vitamin B<sub>1</sub> \* \* \* 6 Mg. \* \* \* Vitamin C \* \* \* 75 Mg. \* \* \* 1 Capsule supplies 6 times the minimum daily requirement for Vitamin B<sub>1</sub> \* \* \* 3 times the minimum daily requirement for vitamin C."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamins B<sub>1</sub> and C, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each Capsule Contains: Vitamin B<sub>1</sub> \* \* \* 6 Mg. \* \* \* Vitamin C \* \* \* 75 Mg." was false and misleading since the article contained less than the stated amounts of vitamins B<sub>1</sub> and C.

**DISPOSITION:** January 13, 1953. Benjamin Drob, Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Federal Security Agency.

**20150. Adulteration and misbranding of vitamin capsules. U. S. v. 5  
Drums \* \* \*. (F. D. C. No. 34140. Sample No. 66642-L.)**

**LIBEL FILED:** December 19, 1952, Eastern District of Pennsylvania.

**ALLEGED SHIPMENT:** On or about April 16 and 22, 1952, by the Jamieson Pharmacal Co., from Detroit, Mich.

**PRODUCT:** 5 drums of vitamin capsules at Philadelphia, Pa. Analysis showed that the product contained 22 percent of the declared amount of vitamin C.

**LABEL, IN PART:** (Drum) "High Potency Clini-B With Vitamin C Capsules \* \* \* Each Capsule Contains \* \* \* Vitamin C \* \* \* 75 Mg. \* \* \* 1 Capsule Supplies \* \* \* 3 times the minimum daily requirement for Vitamin C \* \* \* 15,000 Caps."

\*See also No. 20121.

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

Misbranding, Section 403 (a), the label statement "Each Capsule Contains \* \* \* Vitamin C \* \* \* 75 Mg." was false and misleading as applied to the article, which contained less than the declared amount of vitamin C.

**DISPOSITION:** March 11, 1953. The Physicians Drug & Supply Co., Philadelphia, Pa., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Federal Security Agency.

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<sup>1</sup> (20123) Prosecution contested.