

DISPOSITION: 8-13-59. Default—destruction.

25848. Vitamin tablets. (F.D.C. No. 43296. S. Nos. 22-710/11 P.)

QUANTITY: 216 100-tablet btl., 14 500-tablet btl., and 85 1,000-tablet btl., at Tulsa, Okla.

SHIPPED: On or about 6-1-56, from St. Louis, Mo.

RESULTS OF INVESTIGATION: Examination showed that the tablets contained less vitamin B₁, vitamin C, and vitamin B₁₂, than represented.

LIBELED: 7-16-59, N. Dist. Okla.

CHARGE: 402(b)(1)—while held for sale, the valuable constituents, vitamin B₁, vitamin C, and vitamin B₁₂, had been in part omitted or abstracted from the article.

DISPOSITION: 8-5-59. Default—destruction.

25849. Special vitamin and feeding oil. (F.D.C. No. 42605. S. No. 26-857 P.)

QUANTITY: 5 drums at Minneapolis, Minn.

SHIPPED: 11-22-58, from Harrison, N.J., by Nopco Chemical Co.

LABEL IN PART: "Net Wt. 410 Nopco Special Vitamin A & D Feeding Oil 600 D * * * 1500 A Per Gram Control No. 5482."

RESULTS OF INVESTIGATION: Analysis showed that the article contained less than 50 percent of the declared amount of vitamin D.

LIBELED: 1-14-59, Dist. Minn.

CHARGE: 402(b)(1)—when shipped, a valuable constituent, vitamin D, had been in part omitted or abstracted from the article; and 403(a)—the label statement "600 D * * * Per Gram" was false and misleading.

DISPOSITION: 3-10-59. Default—denatured for use as animal feed.

25850. Vitamin supplement. (F.D.C. No. 42930. S. No. 47-823 P.)

QUANTITY: 14 cases, 12 1-pint btl. each, at Hartford, Conn.

SHIPPED: Early 1958, from Philadelphia, Pa.

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 50 percent of the declared amount of vitamin B₂ and approximately 78 percent of the declared amount of vitamin B₁.

LIBELED: 4-17-59, Dist. Conn.

CHARGE: 402(b)(1)—while held for sale, the valuable constituents, vitamin B₁ and vitamin B₂, had been in whole or in part abstracted or omitted from the article; 403(a)—the label statement "Each Teaspoonful (6 cc.) Contains: * * * Thiamin HCl (B₁) 1 mg. Riboflavin (B₂) 2 mg." was false and misleading, and 403(j)—the article purported to be and was represented as a food for special dietary uses by reason of its vitamin and mineral content and its label failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirements of vitamin B₁, riboflavin, and iron supplied by a specified quantity of the product when consumed by children during a period of one day.

DISPOSITION: 6-26-59. Default—delivered to a charitable institution.

U.S. Department of Health, Education, and Welfare

Food and Drug Administration

**NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD,
DRUG, AND COSMETIC ACT**

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

25851-25900

FOODS

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve foods which were adulterated or misbranded within the meaning of the Act when introduced into and while in interstate commerce, or while held for sale after shipment in interstate commerce. These cases involve (1) seizure proceedings in which decrees of condemnation were entered by default, or by consent, and (2) criminal proceedings which were terminated upon pleas of guilty or nolo contendere. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation, and the criminal proceedings are against the *firms* or *individuals* charged to be responsible for violations.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D.C., February 23, 1960.

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**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN
VIOLATIONS REPORTED IN F.N.J. NOS. 25851-25900**

Adulteration, Section 402(a) (1), the article contained a deleterious substance which may have rendered it injurious to health; Section 402(a) (3), the article consisted in part of a filthy or decomposed substance, or it was otherwise unfit for food; Section 402(a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402(b) (2), a substance had been substituted wholly or in part for the article.

Misbranding, Section 403(a), the labeling of the article was false and misleading; Section 403(b), the article was offered for sale under the name of another food; Section 403(e) (2), the article was in package form and it failed to bear a label containing an accurate statement of the quantity of contents in terms of weight, measure, or numerical count; Section 403(g), the article purported to be and was represented as a food for which a definition and standard of identity had been prescribed by regulation, and (1) it failed to conform to such definition and standard; and (2) its label failed to bear the name of the food specified in the definition and standard and the common name of the optional ingredient contained therein; Section 403(i) (2), the article was not subject to the provisions of Section 403(g) and was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient; Section 403(j), the article purported to be and was represented for special dietary uses, and its label failed to bear such information concerning its vitamin, mineral, and other dietary properties as the Secretary has determined to be, and by regulation prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

CEREALS AND CEREAL PRODUCTS

FLOUR

25851. Flour. (F.D.C. No. 42770. S. Nos. 44-324/26 P.)

QUANTITY: 171 25-lb. bags at Dublin, Ga., in possession of Werden Co.

SHIPPED: Between 9-22-58 and 11-11-58, from Whitewater, Kans.

LIBELED: 1-6-59, S. Dist. Ga.

CHARGE: 402(a) (3)—contained rodent urine; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 3-4-59. Default—destruction.

25852. Flour. (F.D.C. No. 42724. S. Nos. 24-293 P, 24-298 P.)

QUANTITY: 317 100-lb. bags at Vernon, Calif.

SHIPPED: Between October and November 1958, from Seattle, Wash.

LIBELED: 3-4-59, S. Dist. Calif.

CHARGE: 402(a) (3)—contained insects and rodent excreta pellets while held for sale.

DISPOSITION: 4-1-59. Consent—claimed by Fisher Flouring Mills Co., Seattle, Wash., and converted into animal feed.

25853. Flour. (F.D.C. No. 42729. S. Nos. 54-185 P, 54-187 P.)

QUANTITY: 454 25-lb. bags at Dyersburg, Tenn., in possession of Edenton-Lamb Co.