leading since they represented and suggested that the article would be effective in the treatment of hay fever, asthma, sneezing, and allergic conditions, whereas it would not be effective for such purposes.

On April 17, 1945, no claimant having appeared, judgment of condemnation was entered and it was ordered that a portion of the product be delivered to the Food and Drug Administration, and that the remainder be delivered for the use of a Government hospital.

1540. Misbranding of Bio-Mineral. U. S. v. 9⅓ Dozen Bottles and 285 Dozen Bottles of Bio-Mineral. Default decrees of condemnation and destruction. (F. D. C. Nos. 14861, 15055. Sample Nos. 75688-F, 78197-F.)

On December 27, 1944, and January 13, 1945, the United States attorneys for the District of New Jersey and the Northern District of Ohio filed libels against 9⅓ dozen bottles and 285 dozen bottles of Bio-Mineral at Atlantic City, N. J., and Youngstown, Ohio, respectively, alleging that the article had been shipped on or about May 25 and July 1, 1943, from Detroit, Mich., by the Bio-Mineral Products Co. The article was labeled in part: "Bio-Mineral * * * The various minerals are compounded from Ferric Chloride (Iron Chloride), Calcium Chloride, Salt (Sodium Chloride), Cobalt Chloride, Potassium Iodide, Copper Chloride, Magnesium Chloride and Manganese Chloride—all in solution in pure water. * * * Daily Portion (½ Teaspoonful Twice Daily) Contains Calcium—375.0 mgm. * * * Iodine—0.1 mgm. * * * Iron—62.0 mgm. * * * Also Sodium 117.0 mgm.; Chlorine, 1,260.0 mgm.; Magnesium, 8.0 mgm.; Copper, 2.0 mgm.; Cobalt, 1.0 mgm.; Manganese, 1.5 mgm."

Examination showed that the article possessed approximately the composition declared upon its label.

It was alleged to be misbranded in that the designation "Bio-Mineral" was false and misleading since the mineral constituents in the article would not produce or maintain life; and in that the label statements, "Supplemental Minerals to Assist in the Prevention of Nutritional Mineral Deficiencies" and "One-half Teaspoonful (2½ cc.) twice daily * * * will supply the minimum adult requirements of the essential minerals excepting Calcium," were false and misleading since the article contained no phosphorus, one of the mineral constituents essential in human nutrition and in the prevention of nutritional mineral deficiencies. The article was alleged to be misbranded further in that the following statements on the label were misleading since any combination of iron with sulfur compounds which may be present in the lower intestines would accomplish no useful purpose in the prevention of any disease condition: "Purpose of Excess Iron in the Bio-Mineral *The Iron is present in approximately six times the minimum daily adult requirement. The purpose of this excess is to supply Iron in the lower intestines (colon). This Iron, reacting with the gaseous and other obnoxious sulfur bodies, tends to render them insoluble and hence fix these bodies to prevent reabsorption in the system. (*In stating this purpose for the excess Iron present, we are attempting to explain the results so generally attained, without claiming the existence of direct scientific evidence therefor)."

On March 2 and 27, 1945, no claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

1541. Misbranding of vitamin C tablets. U. S. v. 249 Bottles of Vitamin C Tablets. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 15230. Sample No. 29061-H.)

On February 12, 1945, the United States attorney for the Northern District of California filed a libel against 249 bottles of vitamin C tablets at San Francisco, Calif., alleging that the article had been shipped on or about October 9, 1944, by Oxford Products, Inc., from Cleveland, Ohio. The article was labeled in part: (Bottle) "100 C. T. Tablets Vitamin C (Ascorbic Acid) 250 Mg. Vitamin Guild Of America Cleveland, Ohio."

It was alleged to be misbranded in that the label statement, "Indication—Allergy, Hay Fever, Asthma Paroxysms, Rhinitis, Nasal Catarrh," was false and misleading since the article was not an effective treatment for the conditions named.

On April 4, 1945, the case having been removed to the Northern District of Illinois for further action, and Oxford Products, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling under the supervision of the Food and Drug Administration.