

ing. The statements represented and suggested that the tablets in the 4,900-tablet drum and in the bottles were an adequate and effective treatment for high blood pressure, and that the tablets in the 14,900-tablet drum and in the boxes were an adequate and effective treatment for rheumatism, joint pains, stiffness, and similar ailments and complaints. The articles were not adequate and effective treatments for such conditions.

Further misbranding, Section 502 (f) (1), the labeling of the tablets in the 4,900-tablet drum and in the bottles failed to bear adequate directions for use. The tablets were misbranded in this respect when introduced into, while in, and while held for sale after shipment in, interstate commerce.

Further misbranding, Section 502 (a), certain statements in the labeling of the tablets in the 14,900-tablet drum were false and misleading. The statements represented and suggested that powdered cimicifugin and phytolaccin are the common or usual names of drugs and that "P. E. Burdock Root" was an active ingredient. Powdered cimicifugin and phytolaccin are not the common or usual names of any substances, and "P. E. Burdock Root" was not an active ingredient of the tablets. The tablets were misbranded in this respect when introduced into and while in interstate commerce.

**DISPOSITION:** October 26, 1951. The R. Landis Co., Glendale, Ohio, claimant, having consented to the entry of a decree and admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the tablets be released under bond for relabeling under the supervision of the Federal Security Agency.

**3625. Misbranding of vitamin and caffeine capsules. U. S. v. 200 Cartons, etc.**  
(F. D. C. No. 30811. Sample Nos. 28011-L, 28012-L, 28020-L.)

**LABEL FILED:** February 27, 1951, Northern District of California.

**ALLEGED SHIPMENT:** On or about January 12, 1951, by the Preston Laboratories, and or about January 26 and February 6, 1951, by National Drug Laboratories, Inc., from Chicago, Ill.

**PRODUCT:** Vitamin and caffeine capsules. 200 cartons, each containing 28 vials; 2 fiber drums, each containing 104,000 capsules, and 1 fiber drum containing 102,500 capsules, at San Francisco, Calif., in possession of the Mapco Pharmacal Co., together with a number of vial and carton labels and other pieces of literature.

**RESULTS OF INVESTIGATION:** The capsules were shipped in fiber drums from Chicago to the Mapco Pharmacal Co., which repacked a number of the capsules into vials. The vials then were packed into cartons and were offered for sale with literature entitled "Are you suffering from T. F.? \* \* \* Try Mapco Anti-Fatigue Kaps \* \* \* T. F. (tired feeling)."

**LABEL, IN PART:** (Drums) "Private Formula 104,000 Bulk Capsules [or "102,500 Capsules"] \* \* \* Each Capsule Contains: Thiamin HCl 5 mg. (5 MDR) Riboflavin 2.5 mg. (1¼ MDR) Niacinamide 10 mg. Vitamin B-12 (as in Streptomyces Fermentation Extractives) 2.5 mcg. Caffeine Citrate 2.5 gr. \* \* \*"; (vials) "25 Mapco Kaps. Anti-Fatigue Kaps for that tired feeling \* \* \* No Subsequent Depression \* \* \* Dose: One capsule in the morning and afternoon. This product contains those basic vitamins, the lack of which often cause that 'tired' 'run down' feeling plus the blood building Vitamin B<sub>12</sub> and stimulating caffeine.

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the capsules in the drums failed to bear adequate directions for use. The cap-

sules were misbranded in this respect when introduced into and while in interstate commerce.

Further misbranding, Section 502 (a), the labeling of the capsules in the vials, namely, the carton and vial labels and the above-mentioned literature, was false and misleading. The labeling contained statements which represented and suggested that the capsules when taken as directed were effective to relieve fatigue and that tired, run-down feeling; for blood building; and to provide a quick pick-up with no subsequent depression. The capsules when taken as directed were not effective for such purposes. The capsules were misbranded in this respect while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 26, 1951. The Mapco Pharmacal Co. having filed a claim in the case and subsequently having defaulted in taking any further action, judgment of condemnation was entered and the court ordered that the product be destroyed.

**3626. Misbranding of Special Family-Pak vitamin capsules and mineral tablets.**  
U. S. v. 43 Packages \* \* \*. (F. D. C. No. 28733. Sample Nos. 68505-K, 68507-K, 68517-K.)

**\* LABEL FILED:** March 2, 1950, Western District of Washington; amended label filed March 25, 1950.

**ALLEGED SHIPMENT:** On or about February 6, 17, and 23, 1950, from Lynwood, Calif.

**PRODUCT:** 43 packages of *Special Family-Pak vitamin capsules and mineral tablets* at Seattle, Wash., in the possession of Nutritional Products.

**RESULTS OF INVESTIGATION:** The product was promoted by means of printed matter on the subject of nutrition and through oral representations made by Mrs. Judith A. Norberry, owner of Nutritional Products, and a salesman for Mrs. Norberry. A copy of a form letter on the letterhead of Nutritional Products and beginning "Dear ——— Several days ago, we mailed you a copy of an article on Heart Disease which appeared in Coronet Magazine," a reprint of an article in the October 1948 issue of Coronet Magazine entitled "For Heart Disease: Vitamin E by J. D. Ratcliff," a booklet entitled "You can have A Life Worth Living," and reprints entitled "'E' Found To Avert Menopausal Pains" and "Vitamin E May Hand 'Knockout' to Surgery Killer" were distributed by Nutritional Products through the mails or personally by Mrs. Norberry and the salesman. Oral representations were made by both individuals during sales talks with prospective customers.

**LABEL, IN PART:** "Special Family-Pak with Hy E Supplemental Nutrition This package contains: 60 Multiple Vitamin Capsules—90 Hy E Perles 90 Mineral Tablets Two red vitamin capsules, three yellow E perles and three mineral tablets (suggested daily intake) supply the following amounts and proportions of minimum daily adult requirements: Vitamin A 25,000 USP units . . . 624%. Vitamin D 2,000 USP units . . . 500% Vitamin B<sub>1</sub> 10 Mg. . . . 1000% Vitamin B<sub>2</sub> 10 Mg. . . . 500% Vitamin B<sub>6</sub> 2 Mg. Vitamin C 300 Mg. . . . 1000% Calcium Pantothenate 20 Mg. Niacin Amide USP 100 Mg. Vitamin E (90 Int. Units or) 90 Mg. Calcium 750 Mg. . . . 100%. Phosphorus 380 Mg. . . . 50% Iron 10 Mg. . . . 100%. Copper 0.1 Mg. Iodine 0.2 Mg. . . . 200% Para Aminobenzoic Acid 15 Mg. Chlorophyll 1 Mg. Inositol 15 Mg. Folic Acid 1 Mg. Rutin 1 Mg. Fluorine 0.2 Mg. Kelp 6 Grs."