5876. Super Rybutol gelucaps. (F.D.C. No. 42560. S. No. 24–426 P.)

QUANTITY: 220 60-capsule btls. at Los Angeles, Calif.

SHIPPED: Between 2–3–58 and 6–13–58, from St. Louis, Mo.

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 80 percent of the declared amount of vitamin B_1.

LIBELED: 12–31–58, S. Dist. Calif.

CHARGE: 501(c)—while held for sale, the strength of the article differed from that which it purported and was represented to possess, namely, 15 milligrams of vitamin B_1 per capsule; and 502(a)—the labeling of the article contained false and misleading representations that it was an effective treatment for loss of energy, lack of appetite, nervousness, and indigestion.

The libel alleged also that certain other quantities of Rybutol capsules were adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: 1–26–58. Default—destruction.

5877. Dex-All capsules. (F.D.C. No. 42601. S. No. 24–515 P.)

QUANTITY: 11 1,000-capsule btls., 2 500-capsule btls., and 40 100-capsule btls., at North Hollywood, Calif.

SHIPPED: 9–22–58, from Rensselaer, N.Y., by Delmar Pharmacal Corp.

LABEL IN PART: (Bulk container) "Del-Bardex #1 Timed Disintegration Capsule Each Capsule contains Dextro Amphetamine Sulfate 10 Mg. Amobarbital 60 Mg. * * * in a Special Base That Provides for the Disintegration of the Contents Throughout a Period of About 6–10 Hours * * * 25,000 Capsules, * * * Delmar Pharmacal Co., * * * Rensselaer, New York."

The capsules were repackaged into bottles from bulk stock as labeled above.

RESULTS OF INVESTIGATION: Analysis showed that the article contained labeled amounts of dextro-amphetamine sulfate and amobarbital of which 75 percent of the dextro-amphetamine sulfate was released in two hours.

LIBELED: 1–12–59, S. Dist. Calif.

CHARGE: 501(c)—when shipped, the quality of the article differed from that which it was purported or represented to possess in that it failed to disintegrate at a uniform rate over a 6 to 10 hour period; and (502(a)—the label statement "in a Special Base That Provides for the Disintegration of the Contents throughout a Period of About 6–10 hours" was false and misleading.

DISPOSITION: 2–5–59. Default—destruction.

5878. Contact lens wetting solution. (F.D.C. No. 43178. S. Nos. 57–699/700 P.)

QUANTITY: 480 2-oz. btls. and 2,000 5-cc. btls. at New York, N.Y.

SHIPPED: 2–13–59, from Wauconda, Ill., by Mi-Con Laboratories.

LABEL IN PART: (Btl.) "UCL Wetting Solution An antiseptic, wetting and cleansing solution to be used with plastic contact lenses. Directions: * * * Active ingredients: Alkyl dimethyl benzyl ammonium chloride 1:25000 distributed by United Contact Lens Corp. 76 Madison Ave., New York 16, N.Y." or "5 cc. * * * UCL Wetting Solution Directions * * * distributed by United Contact Lens Corp. 76 Madison Ave., New York 16, N.Y."

RESULTS OF INVESTIGATION: Examination showed that the article was contaminated with large numbers of viable micro-organisms.

LIBELED: 7–14–59, S. Dist. N.Y.