PRODUCT: Analysis of samples from the 3 shipments showed the presence of 1.6, 2.01, and 2.2 grams, respectively, of iron and ammonium citrates per fluid ounce.

LABEL, IN PART: "Vitawine * * * combination of Thiamin (Vitamin B_1) 1000 U. S. P. Units, Riboflavin (Vitamin G–B_2) 100 Gammas, Niacin 10 Mg. Iron and Ammonium Citrate, Manganese Citrate, Sodium Citrate, Citric Acid and Dextrose in a palatable wine base."

NATURE OF CHARGE: Misbranding, Section 502 (a), the word "Tonic" and the statement "Iron Tonic * * * as an aid to nature in rebuilding the pep, strength and energy," which were borne on the cartons and bottles, were false and misleading. These statements represented and suggested that the article was an iron tonic which would supply therapeutic amounts of iron and would be effective for rebuilding pep, strength, and energy. The article was not an iron tonic which would supply therapeutic amounts of iron, and it would not be effective for the purposes represented.

The article was alleged also to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

DISPOSITION: May 26, 1948. A plea of guilty having been entered, the court imposed a fine of $258 and costs.

2476. Misbranding of phenobarbital sodium tablets. U. S. v. 68 Bottles * * *. (F. D. C. No. 25659. Sample No. 31761–K.)

LIBEL FILED: September 22, 1948, Southern District of California.

ALLEGED SHIPMENT: On or about January 16, 1948, by Cole Laboratories, from Long Island City, N. Y.

PRODUCT: 68 bottles of *phenobarbital sodium tablets* at Wilmington, Calif. Examination showed that some of the bottles labeled as containing 1,000 tablets, contained materially less than 1,000 entire tablets, together with broken and disintegrated tablets. The phenobarbital content of the unbroken tablets varied from 1.6 grains to 2.5 grains. Approximately 50% of the tablets contained either more than 2.1 grains or less than 1.8 grains of phenobarbital sodium per tablet.

LABEL, IN PART: "1000 Hypodermic Tablets Each tablet contains 2 grains (0.12 gm.) Phenobarbital Sodium * * * Distributed by Retort Pharmaceutical Co., Inc., Long Island City 1, N. Y."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "1000 Hypodermic Tablets" and "Each Tablet contains 2 grains * * * Phenobarbital Sodium" were false and misleading, since some of the bottles contained materially fewer whole tablets than the declared number and some tablets contained materially less and others materially more than the declared 2 grains of phenobarbital sodium.

DISPOSITION: October 19, 1948. Default decree of condemnation and destruction.

2477. Misbranding of mercuric cyanide tablets. U. S. v. 330 Bottles * * *. (F. D. C. No. 24767. Sample No. 10574–K.)

LIBEL FILED: May 10, 1948, Eastern District of New York.

ALLEGED SHIPMENT: On or about March 23 and 30 and April 5 and 7, 1948, by Veterans Administration Supply Depots, from Somerville, N. J., Montgomery, Ala., Hines, Ill., and Wilmington, Calif. (These were return shipments.)

PRODUCT: 330 100-tablet bottles of *mercuric cyanide* at Long Island City, N. Y. Examination showed that approximately ⅓ of the tablets in the bottles were capped, chipped, broken, or powdered. The average amount of mercuric cyanide in the chipped and capped tablets was 0.37 gram instead of 0.5 gram as declared.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "100 Tablets Mercuric Cyanide Each tablet contains 0.5 Gm (7½ grs.) Mercuric Cyanide" were false and misleading, since there were less than 100 whole tablets in each bottle and some of the tablets, namely, those which were chipped and capped, contained less than 0.5 gram of mercuric cyanide.

DISPOSITION: July 28, 1948. Default decree of condemnation and destruction.