

# United States Department of Agriculture

## FOOD AND DRUG ADMINISTRATION

### NOTICES OF JUDGMENT UNDER THE FOOD AND DRUGS ACT

[Given pursuant to section 4 of the food and drugs act]

18051-18100

[Approved by the Secretary of Agriculture, Washington, D. C., August 19, 1931]

**18051. Adulteration and misbranding of Vitalex. U. S. v. 358 Dozen Packages of Vitalex. Decree of condemnation and forfeiture. Product released under bond. (F. D. No. 25950. I. S. No. 8979. S. No. 4180.)**

Examination of a drug product, known as Vitalex, from the shipment herein described having shown that it was represented as containing vitamin D, whereas it was worthless as a source of vitamin D, the Secretary of Agriculture reported the matter to the United States attorney for the District of Maryland.

On or about February 24, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of 358 dozen packages of Vitalex at Baltimore, Md., alleging that the article had been shipped from Buffalo, N. Y., on or about February 18, 1931, via the Universal Carloading & Distributing Co., and had been transported from the State of New York into the State of Maryland, and charging adulteration and misbranding in violation of the food and drugs act. The article was labeled in part: "To which are added Vitamins \* \* \* D."

Analysis of a sample of the article by this department showed that it consisted essentially of caffeine, salicylic acid, benzoic acid, extracts of plant drugs including glycyrrhiza, senna, aloe, and wild cherry, a small proportion of strychnine, alcohol, water, and flavoring oils. Biological examination showed that the article was worthless as a source of Vitamin D.

It was alleged in the libel that the article was adulterated in that its strength fell below the professed standard or quality under which it was sold, in that it contained no vitamin D.

Misbranding was alleged for the reason that the statement, "To which are added Vitamins \* \* \* D," appearing on the carton, was false and misleading.

On April 10, 1931, the Chemicals & Drugs (Inc.), Baltimore, Md., having appeared as claimant for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of costs and the execution of a good and sufficient bond, conditioned in part that it be relabeled so as to conform to the requirements of the Federal food and drugs act.

ARTHUR M. HYDE, *Secretary of Agriculture.*

**18052. Misbranding of Var-ne-sis for rheumatism. U. S. v. 9 Bottles of Var-ne-sis for Rheumatism. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 25916. I. S. No. 15373. S. No. 4127.)**

Examination of a drug product, known as Var-ne-sis for rheumatism, having shown that the bottle and carton label and accompanying mailing card bore statements representing that the article possessed curative and therapeutic properties which it did not, the Secretary of Agriculture reported to the United States attorney for the Southern District of New York the herein-described shipment of a quantity of the product located in New York, N. Y.

On February 16, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of nine bottles of Var-ne-sis for rheumatism, remaining in the