

RESULTS OF INVESTIGATION: The article was in the possession of various Kansas City warehouses and retail stores. Some of the accompanying labeling was in the possession of Russell Brokerage Co. and some had been delivered to a retail store by Russell Brokerage Co. and set up with a display of the article.

LIBELED: 9-26-62, W. Dist. Mo.

CHARGE: 403(a)—when shipped and while held for sale, the labeling of the article contained false and misleading representations that the article was adequate and effective to promote health; control blood cholesterol levels; and for the prevention of heart disease, atherosclerosis, heart attacks and strokes.

DISPOSITION: 2-19-63. Default—labeling destroyed and the article delivered to a charity with the understanding that it not be sold.

28891. Mustard bran. (F.D.C. No. 48691. S. No. 19-034 V.)

QUANTITY: 68 100-lb. bags, at Oklahoma City, Okla.

SHIPPED: 5-7-62 and 6-11-62, from Kansas City, Mo.

LIBELED: 1-31-63, W. Dist. Okla.

CHARGE: 402(a)(3)—contained insects and insect larvae while held for sale.

DISPOSITION: 2-27-63. Default—delivered to a public institution for use as animal feed.

28892. Mustard seed. (F.D.C. No. 48266. S. No. 18-084 V.)

QUANTITY: 102 50-kilo bags, at Houston, Tex.

SHIPPED: 2-17-62, from Denmark.

LIBELED: 11-1-62, S. Dist. Tex.

CHARGE: 402(a)(3)—contained insects and insect larvae while held for sale.

DISPOSITION: 12-20-62. Consent—claimed by United States Coffee & Tea Co., Dallas, Tex. Segregated; 859 lbs. destroyed.

28893. Saffron. (F.D.C. No. 48950. S. No. 79-054 V.)

QUANTITY: 4 unlabeled 1-lb. cans, at Chicago, Ill.

SHIPPED: 10-31-62, from New York, N.Y., by H. Shoenfeld & Sons, Inc.

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 19 percent potassium nitrate.

LIBELED: 5-7-63, N. Dist. Ill.

CHARGE: 402(a)(2)(C)—when shipped, the article contained a food additive, namely, potassium nitrate, which was unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409; 402(b)(2)—potassium nitrate had been substituted wholly or in part for saffron; 403(e)—the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of the contents; and 403(i)—the article failed to bear a label containing (1) the common or usual name of the food, and (2) the common or usual name of each ingredient.

DISPOSITION: 6-11-63. Default—destruction.

28894. Sauce and gravy seasoning. (F.D.C. No. 48624. S. No. 12-018 V.)

QUANTITY: 12 cases, each containing 12 1-qt. btls., at Chicago, Ill.

SHIPPED: On an unknown date, from Ozone Park, N.Y.

LIBELED: 1-31-63, N. Dist. Ill.

CHARGE: 402(a)(2)(C)—while held for sale, the article contained a food additive, namely, coumarin, which was unsafe within the meaning of 409, since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

DISPOSITION: 2-27-63. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

28895. Vitamin tablets. (F.D.C. No. 48718. S. No. 17-363 V.)

QUANTITY: 57 1,000-tablet btls., at Dayton, Ohio.

SHIPPED: Between 1-1-59 and 1-31-59, from Greenville, S.C.

RESULTS OF INVESTIGATION: Analysis showed that the article contained approximately 50 percent of the declared amount of vitamin D.

LIBELED: 3-11-63, S. Dist. Ohio.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin D, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Vitamin D—400 USP Units" was false and misleading as applied to an article containing less than the declared amount of vitamin D.

DISPOSITION: 4-30-63. Default—the court ordered that the declaration of a vitamin D content be corrected and that the tablets be delivered to a charitable institution.

28896. Vitamin products. (F.D.C. No. 48814. S. Nos. 29-842/5 V.)

QUANTITY: 36 100-capsule btls. of vitamin-mineral capsules, 81 100-capsule and 73 40-capsule btls. of multiple vitamin capsules, 220 100-capsule and 33 250-capsule btls. of multiple vitamin capsules for children, 17 1-pt. btls. of multiple vitamin sirup for children, at Kansas City, Mo.

SHIPPED: Between 3-12-58 and 3-11-63, from Bridgeport, Conn.

RESULTS OF INVESTIGATION: Analysis showed that the articles were 20 or more percent deficient in vitamin B₁ and that the sirup was approximately 75 percent deficient in vitamin D.

LIBELED: 3-15-63, W. Dist. Mo.

CHARGE: 402(b)(1)—while held for sale, valuable constituents, namely, vitamins B₁ and D, were in part omitted or abstracted from the article; and 403(a)—the label statements (vitamin-mineral capsules) "Each Capsule Contains * * * Thiamine Mononitrate (B₁) 7.5 mgs.," (multiple vitamin capsules) "Each Capsule Contains * * * Thiamine Mononitrate (B₁) 10 mgs.," (multiple vitamin capsules for children) "Each Capsule Contains * * * Thiamine Mononitrate (B₁) 1 mgm.," and (sirup) "One average teaspoonful (5 cc.) contains * * * Vitamin D 1,000 U.S.P. Units; Thiamine Hydrochloride (B₁) 5 mgms." were false and misleading as applied to products containing less than the declared amounts of these vitamins.

DISPOSITION: 5-2-63. Default—destruction.

28897. Food supplement tablets and capsules. (F.D.C. No. 48641. S. Nos. 64-964/5V.)

QUANTITY: 279 100-capsule btls. and 147 100-tablet btls. at Bristol, Tenn.

*See also No. 28856.