

**SHIPPED:** The tablets were shipped in bulk drums on 10-10-58, from Long Island City, N.Y.

**LABEL IN PART:** (Drum) "Special Formula C.F. 5726 Lot. No. 39821 \* \* \* Each Tablet \* \* \* Contains: 50 mg. Ascorbic acid 1 mg. Thiamine chloride 0.1 mg. Pyridoxine HCl. 10 mcg. Vitamin B-12 USP 0.1% Trituration 5000 U Vitamin A Palmitate 1000 U Vitamin D Crystals" and (btl.) "Appetite Vitamins APETITES Chewed Like Candy \* \* \* Tastes Like Candy \* \* \* Distributed by Elliott Laboratories 4712 Stratford Road, Evansville, Indiana Each tablet contains: \* \* \* Vitamin B-12 USP 10 mcg."

**RESULTS OF INVESTIGATION:** The tablets in the bottles were repacked by the dealer from the bulk stock shipped as described above, and relabeled.

Examination showed that the article contained about 50 percent of the declared amount of Vitamin B<sub>12</sub>.

**LIBELED:** 8-29-60, S. Dist. Ind.

**CHARGE:** 402(b)(1)—while held for sale, the valuable constituent, vitamin B<sub>12</sub>, had been in part omitted or abstracted from the article; 403(a)—the label statements (drum) "10 mcg. Vitamin B-12 USP" and (btl.) "Vitamin B-12 USP 10 mcg." were false and misleading; 403(a)—the label statements (btl.) "Tastes Like Candy," "Chewed Like Candy," and "Apetites Candy Tablets," were misleading, since they suggested and implied that the article was confectionery, whereas, the article was a food for special dietary use and was not confectionery; and 403(a)—the bottle label contained false and misleading representations that the article was adequate and effective to stimulate the appetite in children and adults.

**DISPOSITION:** 12-1-60. Default—destruction.

**27142. Vitamin tablets.** (F.D.C. No. 45063. S. No. 29-646 R.)

**QUANTITY:** 97 cases, 12 100-tablet btl. each, 16 cases, 6 250-tablet btl. each, and 21 cases, 12 50-tablet btl. each, at St. Paul, Minn., in possession of Vitamin Council, Inc.

**SHIPPED:** The tablets were shipped in bulk on 8-10-60 and 8-19-60, from St. Louis, Mo.

**RESULTS OF INVESTIGATION:** The article in the bottles was received in bulk form and repacked and labeled by the dealer. Examination showed that the article contained approximately 78 percent of the declared amount of vitamin B<sub>12</sub>.

**LIBELED:** 11-1-60, Dist. Minn.

**CHARGE:** 402(b)(1)—while held for sale, the valuable constituent, vitamin B<sub>12</sub>, had been in part omitted or abstracted from the article; 403(a)—the label statement "Vitamin B-12 Activity \* \* \* 5 mcg." was false and misleading; 403(a)—the label statement "Geriatric Multi-Vitamins Supplemented with 150 mg. Toleron Trace Minerals and 5 mcg. Vitamin B-12," was false and misleading since it suggested and implied that the nutritional requirements of people of old age are different from adults generally since the article also contained ingredients additional to vitamins, minerals, or vitamin B<sub>12</sub>, and since the term "Toleron" in the setting in which it was used, was meaningless as a designation for any ingredient; and 403(a)—the label statements "Desiccated Liver NF \* \* \* Dried Debittered Yeast \* \* \* The need in human nutrition is established, but MDAR not determined," and "Mag-

nesium \* \* \* 0.72 mg. \* \* \* The need in human nutrition has not been established," were false and misleading since they were contrary to fact.

DISPOSITION: 12-30-60. Default—destruction.

**27143. Vitamins and minerals.** (F.D.C. No. 44985. S. No. 35-985 R.)

QUANTITY: 28 ctns., 896 lbs. total, at Brooklyn, N.Y.

SHIPPED: The article was delivered, on 8-30-60, to a ship pier at Brooklyn, N.Y., for shipment to Iceland.

RESULTS OF INVESTIGATION: Inspection showed that the article had been submerged in polluted river water. The contamination occurred as a result of a storm on 9-13-60, which flooded the pier at Brooklyn, N.Y., where the article was stored.

LIBELED: 10-13-60, E. Dist. N.Y.

CHARGE: 402(a)(4)—held under insanitary conditions while in interstate commerce.

DISPOSITION: 1-18-61. Default—destruction.

**27144. Vitamin capsules.** (F.D.C. No. 45061. S. No. 35-928 R.)

QUANTITY: 13 1,000-capsule btls., and 272 100-capsule btls., at Oyster Bay, Long Island, N.Y.

SHIPPED: Prior to 8-17-60, from Cedar Rapids, Iowa.

RESULTS OF INVESTIGATION: Examination showed that the article contained less than 40 percent of the declared amount of vitamin D.

LIBELED: 11-7-60, E. Dist. N.Y.,

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin D, had been in part omitted or abstracted from the article; 403(a)—the label statement "Vit. D. (Calciferol) 1000 Units" was false and misleading; and the label statement "Each capsule supplies the following percentages of the minimum daily requirement \* \* \* Vitamin B<sub>6</sub> 166%" was false and misleading since the minimum daily requirement for vitamin B<sub>6</sub> has not been established.

DISPOSITION: 2-8-61. Default—destruction.

**27145. Vi-Cal-Nate capsules.** (F.D.C. No. 44614. S. No. 6-378 R.)

QUANTITY: 466 100-capsule btls. at Hartford, Conn.

SHIPPED: Some time in 1955, from Worcester, Mass., by Brewer & Co.

LABEL IN PART: (Btl.) "Vi-Cal-Nate -Therland-Improved."

RESULTS OF INVESTIGATION: Examination showed that the article contained approximately 69 percent of the declared amount of vitamin A and 75 percent of the declared amount of vitamin C.

LIBELED: 6-17-60, Dist. Conn.

CHARGE: 402(b)(1)—while held for sale, the valuable constituents, vitamin A and vitamin C, had been in part omitted or abstracted from the article; and 403(a)—the label statement, "Each capsule contains: Vitamin A 5000 USP Units \* \* \* Vitamin C 37.5 mg." was false and misleading.

403(a)—when shipped, the label statement "The MDR\* for the rest has not been determined" with reference to the iron and calcium in the article, was false and misleading since it was contrary to fact; and 403(j)—the article purported to be and was represented as a food for special dietary