

8293. Adulteration and misbranding of vitamin B₁ and papaya tablets. U. S. v. 20,000 Vitamin B₁ and Papaya Tablets. Default decree of condemnation and destruction. (F. D. C. No. 16917. Sample 31211-H.)

LABEL FILED: July 24, 1945, Western District of New York.

ALLEGED SHIPMENT: On or about March 22, 1945, by William G. Eckert, from Los Angeles, Calif.

PRODUCT: 1 can containing 20,000 vitamin B₁ and papaya tablets at Rochester, N. Y. Examination showed that the product contained not more than 70 percent of the declared amount of vitamin B₁.

LABEL, IN PART: "Vitamin B₁ and Papaya Tablets * * * Contains Vitamin B₁ 333 i. u."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in whole or in part omitted from the article.

Misbranding Section 403 (j), the article purported to be and was represented as a food for special dietary uses by reason of its vitamin B₁ content, but its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirement of vitamin B₁ furnished by a specified quantity of the product when consumed during a period of 1 day.

DISPOSITION: September 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8294. Adulteration and misbranding of unflavored gelatin with vitamin B₁. U. S. v. 3 Cartons of Unflavored Gelatin with B₁. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 16074. Sample No. 31953-H.)

LABEL FILED: May 2, 1945, District of Arizona.

ALLEGED SHIPMENT: On or about May 6, 1944, by the Ben Hur Products Co., from Los Angeles, Calif.

PRODUCT: 3 cartons, each containing 9 dozen packages of 5 envelopes each, of unflavored gelatin with vitamin B₁, at Phoenix, Ariz. Examination showed that the product was approximately 40 percent deficient in vitamin B₁.

LABEL, IN PART: "Ben-Hur Supreme Quality Genuine Calf Plain, Unflavored U. S. P. Gelatin with Vitamin B₁."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in part omitted from the article.

Misbranding, Section 403 (a), the statement on the package, "333 U. S. P. Units Vitamin B₁ in each envelope herein. Contains 5 envelopes. Thus each furnishes minimum adult daily requirement of vitamin B₁," and the statement on the envelopes, "300 International Units of Vitamin B₁ added," were false and misleading as applied to an article containing less than the stated amounts of vitamin B₁.

DISPOSITION: September 18, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution.

8295. Misbranding of American Calcium Pantothenate. U. S. v. 89 Dozen Bottles of American Calcium Pantothenate and a Quantity of Printed Matter. Default decree of condemnation and destruction. (F. D. C. No. 16072. Sample No. 31214-H.)

LABEL FILED: May 11, 1945, Southern District of California.

ALLEGED SHIPMENT: From Chicago, Ill., by the American Beauty Products Co. The bottles were shipped between the approximate dates of March 28 and May 2, 1945. The date of the shipment of the printed matter was alleged to be unknown.

PRODUCT: 89 dozen bottles of American Calcium Pantothenate, 4 catalogs entitled "City Catalog No. 80" or "City Catalog No. 81," and 24 display cards, at Los Angeles, Calif. Examination showed that the product consisted of tablets containing calcium pantothenate.

VIOLATION CHARGED: Misbranding, Section 403 (a), the following statements in the labeling of the article were false and misleading since the article was not of value in the conditions stated and implied: (Catalog) "Anti-Gray Hair And Nail Vitamins (Calcium-Pantothenate Dextrorotatory) Now you can sell Calcium Pantothenate Vitamins to your patrons. Good Housekeeping Bureau experiments of 16 months showed that 88 per cent of men and women subjected to the tests showed positive evidence of a return of natural hair

color. It revealed also definite improvement in the texture of the skin and the elasticity of the finger nails. * * * For Gray Hair * * * American's Anti-Gray Vitamin * * * Newest Vitamin Discovery, Good Housekeeping tests showed 88% return of hair color"; (Display card) "Anti-Gray Hair (Factor) Vitamins * * * 88% Return of Hair Color!"

It was also alleged that another article, Beautician's Mange Treatment, was misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices.

DISPOSITION: June 5, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8296. Misbranding of calcium pantothenate tablets. U. S. v. 55 $\frac{1}{2}$ Dozen Packages of Calcium Pantothenate. Default decree of condemnation and destruction. (F. D. C. No. 16105. Sample Nos. 23822-H, 23841-H.)

LIBEL FILED: May 8, 1945, Northern District of Texas.

ALLEGED SHIPMENT: On or about October 2, 1944, and January 29, 1945, by the American Beauty Products Co., from Chicago, Ill.

PRODUCT: 55 $\frac{1}{2}$ dozen packages of calcium pantothenate at Dallas, Tex. Examination of a sample showed that the article consisted of tablets containing approximately 10 milligrams of calcium pantothenate.

VIOLATION CHARGED: Misbranding, Section 403 (a), the following statements in the labeling (catalog entitled "City Catalog No. 81") were false and misleading: "Anti-Gray Hair and Nail Vitamins. (Calcium-Pantothenate Dextrorotatory) Now you can sell Calcium Pantothenate Vitamins to your patrons. Good Housekeeping Bureau experiments of 16 months showed that 88 per cent of men and women subjected to the tests showed positive evidence of a return of natural hair color. It revealed also definite improvement in the texture of the skin and the elasticity of the finger nails. * * * For Gray Hair * * * Anti-Gray Vitamin * * * Newest Vitamin Discovery. Good Housekeeping tests showed 88% return of hair color." The product was of no value in the conditions and for the purposes stated and implied in the quoted statement.

DISPOSITION: June 11, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

8297. Adulteration and misbranding of vitamin C tablets. U. S. v. 137 Bottles, 260 Bottles, and 33 Bottles of Vitamin C Tablets. Default decree of destruction. (F. D. C. No. 14335. Sample No. 66983-F, 81093-F, 81094-F.)

LIBEL FILED: On or about November 8, 1944, Western District of Missouri.

ALLEGED SHIPMENT: Between the approximate dates of July 3 and September 7, 1943, by Oxford Products, Inc., from Cleveland, Ohio.

PRODUCT: 137 bottles, each containing 40 25-milligram tablets, 260 bottles, each containing 40 50-milligram tablets, and 33 bottles, each containing 40 100-milligram tablets, of vitamin C at Kansas City, Mo. The 50-milligram size tablets were more than 50 percent deficient in vitamin C.

LABEL, IN PART: "40 C. T. Tablets Vitamin C."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), (50-milligram size tablets only) vitamin C had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the statement on the labels of all lots, "Indicated as a vitamin supplement in dental caries, pyorrhea, certain gum infections, anorexia, anemia under nutrition and infections when these are consequences of a vitamin C deficiency," was false and misleading since it represented and suggested that the article would be effective in the treatment of the conditions stated, whereas the article would not be efficacious for such purposes.

Further misbranding, Section 403 (a), the statement on the label of the 50-milligram size tablets, "40 C. T. Tablets Vitamin C (Ascorbic Acid) 50 MG Each Tablet Contains 1000 U. S. P. Units of Vitamin C which is 1 $\frac{1}{2}$ Times Daily Requirements," was false and misleading since the tablets did not contain the stated amount of vitamin C.

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

DISPOSITION: March 24, 1945. No claimant having appeared, judgment was entered ordering that the product be destroyed.