8996. Misbranding of Vitest Vitamins and Minerals. U. S. v. 78 Packages of Vitamins and Minerals. Default decree of condemnation. Product ordered delivered to a charitable institution. (F. D. C. No. 15298. Sample No. 6102-H.)

LIBEL FILED: February 24, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about October 10, 1944, by the Trudy Laboratories, from New York, N. Y.

PRODUCT: 78 packages of vitamins and minerals at Jersey City, N. J. The package consisted of a double layer of mineral wafers separated by a cardboard tray containing 30 vitamin capsules in the center of the package. The double layer occupied the upper half of the package. An inverted tray upon which the wafers and capsules rested occupied the bottom half of the package. The space between the bottom of the box and the top of the tray was empty.

LABEL, IN PART: "Vitest Vitamins and Minerals * * * Distributed by Silver Rod Stores, Jersey City, N. J."

NATURE OF CHARGE: Misbranding, Section 403 (d), the container was so filled as to be misleading since one-half of the volume of the package was occupied by a false bottom.

DISPOSITION: April 2, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a charitable institution after the destruction of the labels under the supervision of the Food and Drug Administration.

8997. Adulteration of vitamin B complex. U. S. v. 31,950 Vitamin B Complex Capsules. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 15418. Sample No. 18522-H.)

LIBEL FILED: February 24, 1945, District of Minnesota.

ALLEGED SHIPMENT: On or about October 20, 1944, by the National Drug Laboratories, Inc., from Chicago, Ill.

PRODUCT: 31,950 vitamin B complex capsules in unlabeled bottles, each bottle containing 50, 100, 250, or 1,000 capsules, at Minneapolis, Minn. Examination showed that the article was 84 percent deficient in niacinamide. The article had been shipped unlabeled except for the name "Pro Bex" on the shipping cartons. It was represented on the invoice as "Probex B-Complex * * * Formula * * * Niacinamide 5.0 milligrams."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, niacinamide, had been in whole or in part omitted from the article.

DISPOSITION: May 11, 1945. The Minnesota Drug Products, Inc., claimant, having admitted the material allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.

8998. Adulteration of vitamin capsules. U. S. v. 69 Bottles of Vitamin Capsules. Default decree of condemnation and destruction. (F. D. C. No. 15321. Sample No. 713-H.)

LIBEL FILED: February 28, 1945, Northern District of Georgia.

ALLEGED SHIPMENT: On or about November 29, 1944, by the Hart Drug Corporation, from Miami, Fla.

PRODUCT: 69 bottles, each containing 100 capsules, of vitamins at Atlanta, Ga. Examination showed that the product was 25 percent deficient in vitamin C.

LABEL, IN PART: "Decalbex * * * Capsules Calcium Phosphate and Iron with Vitamins."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin C, had been in part omitted from the article.

Misbranding, Section 403 (a), the label statements, "Eight Capsules Represent * * * Ascorbic Acid (Vitamin C) 30 mg. * * * Two capsules four times daily will supply the minimum daily requirements for an adult of * * * ascorbic acid * * * Each capsule contains * * * Ascorbic Acid (Vitamin C—75 U. S. P. units) 3.75 mg.," were false and misleading since the article did not contain the stated amount of vitamin C.

DISPOSITION: May 1, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.