VITAMIN PREPARATIONS AND FOODS FOR SPECIAL DIETARY USES

9395. Adulteration of Liv-Fer-B. U. S. v. Sutliff and Case Co., Inc. Plea of nolo contendere. Fine, $100 and costs. (F. D. C. No. 16535. Sample No. 72386–F.)

INFORMATION FILED: August 11, 1945, Southern District of Illinois, against the Sutliff and Case Co., Inc., Peoria, Ill.

ALLEGED SHIPMENT: On or about July 13, 1944, from the State of Illinois into the State of Missouri.

LABEL, IN PART: "Liv-Fer-B Compound * * * Each fluidounce represents: * * * Thiamin Chloride (Vitamin B_1) . . . . 1 mg."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B_1 (thiamine chloride), had been in part omitted or abstracted from the article since it purported and was represented to contain 1 milligram of vitamin B_1 per fluid ounce, whereas it actually contained not more than 0.50 milligram.

The article was also alleged to be adulterated under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1815.

DISPOSITION: September 27, 1945. A plea of nolo contendere having been entered on behalf of the defendant, the court imposed a fine of $100, plus costs.

9396. Misbranding of Slendret. U. S. v. American Medicinal Products, Inc., and Ernest G. Rurup. Pleas of nolo contendere. Corporation and individual each fined $1. (F. D. C. No. 12528. Sample No. 41446–H.)

INFORMATION FILED: October 2, 1944, Southern District of California, against the American Medicinal Products, Inc., Los Angeles, Calif., and Ernest G. Rurup, general manager.

ALLEGED SHIPMENT: On or about February 4, 1944, from the State of California into the State of Texas.

PRODUCT: Analysis showed that the product consisted essentially of dextrose with a small amount of starch, flavored with wintergreen.

NATURE OF CHARGE: Misbranding, Section 403 (a), the name "Slendret" on the box label and in an accompanying circular entitled "Slendret Food Method and Regime" was misleading since it represented and suggested that the product would cause the user to become slender and would cause a reduction in the body weight of the user. Further misbranding, Section 403 (a), the name "Slendret" on the box label and certain statements in the accompanying circular were false and misleading since they represented and suggested that the product, because of its composition and characteristics, would be of substantial value in reducing body weight; that it would aid the user to become slender; that it would provide food energy; and that it contained the nutritional factors necessary during reducing to maintain energy and strength and to relieve hunger. The product would not accomplish the results so represented and suggested, and it would provide no nutritional factor other than carbohydrates.

Further misbranding, Section 403 (i), the label did not bear the common or usual name of the food, dextrose.

The information also charged the defendants with giving a false guaranty with respect to, and the shipment in interstate commerce of, Re-Sude-Oids, a misbranded drug, as reported in notices of judgment on drugs and devices, No. 1801.

DISPOSITION: May 14, 1945. Pleas of nolo contendere having been entered on behalf of the defendants, each defendant was fined $1 on the count charging the shipment of "Slendret." The court also imposed a fine of $251 against the corporation on the counts relating to the misbranded drug, and fined the individual defendant $2 on the same counts.

9397. Adulteration and misbranding of Arvimin Formula. U. S. v. 152 Jars of Arvimin Formula. Default decree of condemnation and destruction. (F. D. C. No. 17084. Sample No. 4615–H.)

LIBEL FILED: On or about August 9, 1945, District of New Jersey.

ALLEGED SHIPMENT: On or about May 12, 1945, by the Argyle Laboratories, from New York, N. Y.

PRODUCT: 152 12-ounce jars of Arvimin Formula at Atlantic City, N. J.

LABEL, IN PART: "Arvimin Formula 9 Vitamins 12 Minerals."