

Further misbranding, Section 403 (a), (thiamine chloride tablets) the statement regarding the thiamine chloride content of the tablets was false and misleading since the article contained less thiamine chloride than declared on the label and would not supply 5 times the minimum daily requirement for thiamine chloride (vitamin B₁) as represented on the label.

DISPOSITION: January 8, 1948. Pleas of nolo contendere having been entered, the corporation was fined \$1,100 and each individual defendant was fined \$550, plus costs.

14897. Alleged adulteration and misbranding of Vita-Slim. U. S. v. Orville Z. Dunlap (Industrial Vitamin Co. and Vitamin Industries). Bail bond forfeited and case dismissed. (F. D. C. No. 16558. Sample Nos. 7071-F, 66961-F, 85664-F.)

INFORMATION FILED: January 16, 1946, District of Nebraska, against Orville Z. Dunlap, trading as the Industrial Vitamin Co. and the Vitamin Industries, at Omaha, Nebr.

ALLEGED SHIPMENT: On or about February 13, July 26, and August 11, 1944, from the State of Nebraska into the States of Missouri, Kansas, and Colorado.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of the article, vitamin B₁, vitamin C, vitamin D, niacin, calcium, phosphorus, iron, and iodine, had been in whole or in part omitted and abstracted from the article.

Misbranding, Section 403 (a), the labeling contained false and misleading statements with respect to the amount of vitamins and minerals supplied by the article, the nutritional significance of the article, and the efficacy of the article for the reduction of weight. Further misbranding, Section 403 (j), the article purported to be and was represented for special dietary uses by man by reason of its vitamin properties with respect to vitamins A, B₁, B₂, B₆, C, D, and E, and calcium pantothenate, and by reason of its mineral properties with respect to calcium, phosphorus, iron, and iodine; and its label did not bear such information concerning its vitamin and mineral properties as had been determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

DISPOSITION: On January 17, 1946, the defendant was arrested, and at that time he furnished bail in the sum of \$500. When the case was subsequently called for arraignment, it was discovered that the defendant had abandoned all of his business properties and left for parts unknown. A warrant was therefore issued for the defendant's apprehension as a fugitive. On January 15, 1947, an order was entered forfeiting the bail bond. The defendant was not thereafter apprehended, and on June 27, 1949, the case was dismissed.

14898. Adulteration of United Vitamin B Complex with Iron (tablets). U. S. v. Scott Products Co. (United Vitamin Products). Plea of guilty. Fine of \$500 and costs. (F. D. C. No. 23230. Sample No. 51239-H.)

INFORMATION FILED: December 3, 1947, Northern District of Illinois, against the Scott Products Co., a corporation, trading as United Vitamin Products, at Chicago, Ill.

ALLEGED SHIPMENT: On or about June 9, 1946, from the State of Illinois into the State of Minnesota.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of the article, riboflavin and niacin, had been in part omitted and abstracted

from the article. Each tablet of the article was represented to contain 667 micrograms of riboflavin and 3.333 micrograms of niacin, whereas each tablet contained less than those amounts of riboflavin and niacin.

DISPOSITION: May 9, 1949. A plea of guilty having been entered, the court imposed a fine of \$500 and costs.

14899. Adulteration of Gestade vitamin tablets. U. S. v. 33 Bottles * * *.

(F. D. C. No. 26878. Sample No. 43878-K.)

LIBEL FILED: March 18, 1949, Southern District of Ohio.

ALLEGED SHIPMENT: On or about November 19, 1948, from Indianapolis, Ind.

PRODUCT: 33 100-tablet bottles of Gestade vitamin tablets at Cincinnati, Ohio.

LABEL, IN PART: "Tablets Ascorbic Acid, Vitamin D, Thiamin, and Iron Compound * * * Each Tablet represents: * * * Vitamin D * * * 200 U. S. P. Units."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted from the article. The article was adulterated while held for sale after shipment in interstate commerce, and examination showed that it contained less than the declared amount of vitamin D.

DISPOSITION: May 13, 1949. Default decree of condemnation and destruction.

14900. Misbranding of Rybutol Gelucaps. U. S. v. 124 Dozen Bottles, etc.

(F. D. C. No. 26636. Sample No. 51252-K.)

LIBEL FILED: March 7, 1949, Southern District of Ohio.

ALLEGED SHIPMENT: By the Vitamin Corporation of America, from Newark, N. J. The product was shipped on or about January 11, 1949, and the labeling of the article, with the exception of certain newspaper clippings, was shipped on or about January 10 and February 12, 1949.

PRODUCT: 70 dozen bottles, each containing 100 capsules, and 54 dozen bottles, each containing 50 capsules, of Rybutol Gelucaps at Cincinnati, Ohio, in the possession of the Dow Drug Co. Warehouse, together with a number of leaflets entitled "Ask Your Doctor" and a number of Cincinnati newspaper clippings entitled "Why does your Doctor Prescribe Rybutol." The newspaper clippings were displayed with the product in the retail stores of the Dow Drug Co. Some of the clippings were pasted in the windows of the stores; or they were used as streamers, hanging from a wire in the rear of the stores in close proximity to the goods.

LABEL, IN PART: "Rybutol High Blend Natural Vitamin B Complex. Each Gelucap Contains the Whole Natural Vitamin B Complex Fortified."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement, "Hy-Blend Natural Vitamin B Complex" appearing on the labels of the article, in a leaflet entitled "Ask Your Doctor," and in the newspaper clippings, was false and misleading as applied to an article which was not a high potency natural vitamin B complex but was a mixture of some of the members of the vitamin B complex in synthetic form, an iron salt, vitamin C, and nutritionally inconsequential amounts of natural sources of the B complex.

The article also was alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2724.