

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of rancid pecans.

DISPOSITION: June 20, 1950. Default decree of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

16295. Adulteration of Dr. McMaster's Vitamin B Complex Tablets, Dr. McMaster's Eight Essential Vitamins Capsules, Dr. McMaster's Calcium Ration Tablets, and Dr. McMaster's V. M. S. Tablets. U. S. v. Medi-Synth Laboratories, Inc. Plea of guilty. Fine, \$750. (F. D. C. No. 28176. Sample Nos. 31640-K, 58286-K to 58288-K, incl.)

INFORMATION FILED: December 12, 1949, Southern District of California, against Medi-Synth Laboratories, Inc., Los Angeles, Calif.

ALLEGED VIOLATION: The defendant caused false guaranties to be given with respect to quantities of Dr. McMaster's Vitamin B Complex Tablets, Dr. McMaster's Eight Essential Vitamins Capsules, Dr. McMaster's Calcium Ration Tablets, and Dr. McMaster's V. M. S. Tablets, which it caused to be delivered on or about February 14 and April 22 and 28, 1949, within the State of California, to the holder of the guaranties, who was engaged in the business of introducing and delivering for introduction into interstate commerce, quantities of vitamin and mineral tablets which had been supplied by the defendant.

The guaranties had been given by the defendant to the holder thereof on or about September 14, 1948, and they provided, among other things, that no foods delivered thereunder would be adulterated within the meaning of the Federal Food, Drug, and Cosmetic Act.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of the articles had been in part omitted and abstracted therefrom as follows: Each tablet of Dr. McMaster's Vitamin B Complex Tablets was represented to provide 1 milligram of vitamin B₂, whereas each tablet would provide a smaller amount of vitamin B₂; each capsule of Dr. McMaster's Eight Essential Vitamins Capsules was represented to provide 20 milligrams of niacinamide, whereas each capsule would provide a smaller amount of niacinamide; 2 tablets of Dr. McMaster's Calcium Ration Tablets were represented to contain 650 U. S. P. units of vitamin D, whereas 2 tablets of the article contained a smaller amount of vitamin D; and 3 tablets of Dr. McMaster's V. M. S. Tablets were represented to provide 500 U. S. P. units of vitamin D, whereas 3 tablets of the article would provide a smaller amount of vitamin D.

The information alleged also that another product, Kal-Estrin, was adulterated under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3071.

DISPOSITION: January 30, 1950. A plea of guilty having been entered, the court imposed a fine of \$750.

16296. Adulteration of vitamin capsules. U. S. v. 50,000 Vitamin Capsules, etc. (F. D. C. No. 28731. Sample No. 11899-K.)

LABEL FILED: February 28, 1950, Southern District of New York.

ALLEGED SHIPMENT: During 1944 and 1945, from Cleveland, Ohio, and Philadelphia, Pa.

PRODUCT: 300,000 vitamin capsules at Goshen, N. Y. The article purported to contain, or was represented as containing, among other ingredients, 1.5 milligrams of vitamin B₁ per capsule. Examination showed that the product contained less than 1.5 mg. of vitamin B₁.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, thiamine (vitamin B₁), had been in part omitted or abstracted from the product. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: April 21, 1950. Default decree of condemnation and destruction.

16297. Adulteration and misbranding of Neo-Mineral. U. S. v. 96 Bottles * * *. (F. D. C. No. 28955. Sample No. 33747-K.)

LIBEL FILED: April 17, 1950, Northern District of California.

ALLEGED SHIPMENT: On or about September 9 and 12, 1949, by the Trojanol Products Co., from Detroit, Mich.

PRODUCT: 96 3 fluid-ounce bottles of Neo-Mineral at Chico, Calif.

LABEL, IN PART: "Neo-Mineral * * * Two Teaspoonfuls Of This Mineral Extract Will Supply Twice The Minimum Daily Adult Iron (FE) Requirement. Minimum Daily Adult Requirement, 10 MGM."

NATURE OF CHARGE: Adulteration, Section 402 (b), (1), a valuable constituent, iron, had been in part omitted. (Examination disclosed that the article contained less than 20 milligrams of iron per two teaspoonfuls.)

Misbranding, Section 403 (a), the label statement "Two Teaspoonfuls Of This Mineral Extract Will Supply Twice The Minimum Daily Adult Iron (FE) Requirement," was false and misleading.

DISPOSITION: May 10, 1950. Default decree of condemnation and destruction.

16298. Adulteration and misbranding of Biolac. U. S. v. The Borden Co. Plea of guilty. Fine of \$1,400, plus costs. (F. D. C. No. 28220. Sample Nos. 1158-K, 5932-K, 5934-K, 7873-K, 23996-K, 33083-K, 46669-K, 46670-K.)

INFORMATION FILED: April 10, 1950, Northern District of Illinois, against The Borden Co., a corporation, Elgin, Ill.

ALLEGED SHIPMENT: Between the approximate dates of March 7 and April 29, 1949, from the State of Illinois into the States of Georgia, Massachusetts, New York, Louisiana, California, and Pennsylvania.

LABEL, IN PART: "Biolac New Improved Modified Milk for Infants. Homogenized and Sterilized."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a substance containing viable organisms was substituted in whole or in part for a sterile substance.

Misbranding, Section 403 (a), the statement "Sterilized," borne on the cans, was false and misleading since the product was not sterile but contained viable organisms.

DISPOSITION: June 12, 1950. A plea of guilty having been entered, the defendant was fined \$1,400, plus costs.