DISPOSITION: September 10, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as animal feed.

17742. Adulteration and misbranding of popcorn seasoning. U. S. v. 2 Pails * * *. (F. D. C. No. 30974. Sample No. 15584–L.)

LIBEL FILED: On or about July 9, 1951, Western District of Missouri.

ALLEGED SHIPMENT: On or about September 13, 1950, by E. F. Drew Co., from Chicago, Ill.

PRODUCT: 2 50-pound pails of popcorn seasoning at Kansas City, Mo.

LABEL, IN PART: "Cobee Pops Brand Popcorn Seasoning."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its disagreeable odor and taste. It was adulterated while held for sale after shipment in interstate commerce.

Misbranding, Section 403 (e) (1), the product was a food in package form, and it failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 403 (i) (2), it was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient. The product was misbranded while in interstate commerce.

DISPOSITION: August 31, 1951. Default decree of condemnation. The court ordered that the product be delivered to a public institution, for use as hog feed.

17743. Misbranding of Mountain Dew seasoning. U. S. v. 100 Cases * * *. (F. D. C. No. 30883. Sample No. 28910–L.)

LIBEL FILED: April 10, 1951, District of Oregon.

ALLEGED SHIPMENT: On or about February 22, 1951, by Mountain Dew Seasoning, Inc., from Madison, Wis.

PRODUCT: 100 cases, each containing 4 1-gallon bottles, of Mountain Dew seasoning at Portland, Oreg.

LABEL, IN PART: (Bottle) "Mountain Dew Seasoning Contains: Distilled Water, Vegetable Juice, Sugar, Mono Sodium Glutamate and Salt."

NATURE OF CHARGE: Misbranding, Section 403 (k), the product contained a chemical preservative, sodium benzoate, and it failed to bear labeling stating that fact.

DISPOSITION: August 16, 1951. Arnold Carlson, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

17744. Adulteration and misbranding of vitamin tablets. U. S. v. 1 Drum * * *. (F. D. C. No. 31011. Sample No. 15065–L.)

LIBEL FILED: May 24, 1951, District of Nebraska.

ALLEGED SHIPMENT: On or about January 26, 1951, by National Drug Laboratories, Inc., Chicago, Ill.

PRODUCT: 1 drum containing 41,400 vitamin tablets at Omaha, Nebr.

LABEL, IN PART: "Private Formula Control No. 04639 41,400 Special Formula Capsules #0 Clear Each Capsule contains: 2.0 Mg. Thiamin (2MDR) 2.0 Mg. Riboflavin (1MDR) * * * 9.0 Mg. Niacinamide."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, thiamine, riboflavin, and niacinamide, had been in whole or in part omitted or abstracted therefrom.

Misbranding, Section 403 (a), the label statement "Each Capsule contains: 2.0 Mg. Thiamin (2MDR) 2.0 Mg. Riboflavin (1MDR) * * * 9.0 Mg. Niacinamide" was false and misleading as applied to the article, which contained less than these amounts of the stated substances.

DISPOSITION: July 10, 1951. National Drug Laboratories, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Federal Security Agency.

17745. Adulteration and misbranding of Stur-Dee vitamin tablets. U. S. v. 128 Bottles * * *. (F. D. C. No. 30928. Sample No. 24442-L.)

LIBEL FILED: April 17, 1951, Eastern District of New York.

ALLEGED SHIPMENT: On or about March 8, 1951, by the Midwest Chemical Development Corp., from Cleveland Ohio.

PRODUCT: 128 bottles each containing 55 Stur-Dee vitamin tablets at Brooklyn, N. Y.

LABEL, IN PART: (Bottle) "Stur-Dee Brand 55 Tablets Natural Vitamin A & D Tablets * * * Each tablet contains: Vitamin A 5,000 USP Units."

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

Misbranding, Section 403 (a), the label statement "Each tablet contains: Vitamin A 5,000 USP Units" was false and misleading as applied to an article containing less than the declared amount of vitamin A.

DISPOSITION: June 22, 1951. Default decree of condemnation and destruction.

17746. Adulteration and misbranding of Patheba vitamin tablets. U. S. v. 4 Cases * * *. (F. D. C. No. 30497. Sample No. 94470-K.)

LIBEL FILED: January 25, 1951, Southern District of Alabama.

ALLEGED SHIPMENT: On or about December 8, 1950, by the Brayten Pharmaceutical Co., from Chattanooga, Tenn.

PRODUCT: 4 cases, each containing 24 100-tablet bottles, of Patheba vitamin tablets at Mobile, Ala.

LABEL, IN PART: (Bottle) "Patheba Tabs * * * Each Tablet Contains * * * Thiamine Hydrochloride 2 Mg. * * * 13 Mg. Of Yeast Powder Containing 300 U. S. P. Units Vitamin D."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, thiamine hydrochloride and vitamin D, had been in part omitted or abstracted from the product.

Misbranding, Section 403 (a), the label statement "Each Tablet Contains * * * Thiamine Hydrochloride 2 Mg. * * * 13 Mg. Of Yeast Powder Containing 300 U. S. P. Units Vitamin D" was false and misleading since the product contained less than 2 milligrams of thiamine hydrochloride and less than 300 U. S. P. units of vitamin D per tablet.