

**PRODUCT:** 35 cases, each containing 24 8-ounce bottles, of imitation lemon flavor at Salt Lake City, Utah.

**LABEL, IN PART:** (Bottle) "8 Fluid Ounces Pantry Pride Brand Imitation Lemon Flavor."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (2), a substance essentially devoid of flavoring properties had been substituted for imitation lemon flavor.

**DISPOSITION:** October 29, 1951. Default decree of condemnation and destruction.

### VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE\*

**17849. Adulteration and misbranding of vitamin tablets. U. S. v. 102 Bottles, etc. (F. D. C. No. 31312. Sample Nos. 27878-L, 27879-L.)**

**LIBEL FILED:** July 3, 1951, Northern District of California.

**ALLEGED SHIPMENT:** On or about June 5, 1951, by E. S. Morris, from Millville, N. J.

**PRODUCT:** 102 bottles, each containing 90 tablets, of Formula DS-25, and 250 bottles, each containing 90 tablets of Formula DS-28, at San Francisco, Calif.

**LABEL, IN PART:** (Bottle) "Dietary Supplements \* \* \* Formula DS-25 Vitamin A & D Each Brown s-c. Tablet contains: Vitamin A 5000 I.U. \* \* \* Manufactured By E. S. Morris Co. San Francisco, Calif." and "Formula DS-28 Each Tablet contains: \* \* \* Vitamin D 500 I.U."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin A (Formula DS-25) and vitamin D (Formula DS-28), had been in part omitted or abstracted from the products.

Misbranding, Section 403 (a), the label statements (Formula DS-25) "Each Brown s-c. Tablet contains: Vitamin A 5000 I.U. \* \* \* One tablet daily supplies 125% of the established minimum daily requirements of each of the Vitamins A \* \* \* for individuals 12 years of age and over" and (Formula DS-28) "Each tablet contains \* \* \* Vitamin D 500 I.U. \* \* \* Three tablets daily supply \* \* \* 375% of the M. D. R. of Vitamin D for individuals 12 years of age and over" were false and misleading as applied to the articles, which contained less than the declared amounts of vitamin A and vitamin D, respectively.

**DISPOSITION:** August 8, 1951. Default decree of condemnation and destruction.

**17850. Adulteration and misbranding of vitamin lollipops. U. S. v. 14 Dozen Boxes \* \* \*. (F. D. C. No. 31319. Sample No. 24527-L.)**

**LIBEL FILED:** June 29, 1951, District of New Jersey.

**ALLEGED SHIPMENT:** On or about November 21, 1950, by the Sternfeld Pharmacal Corp., from Albany N. Y.

**PRODUCT:** 14 dozen boxes each box containing 8 vitamin lollipops at New Brunswick, N. J. This product contained substantially less than the labeled amount of vitamin B<sub>1</sub>.

**LABEL, IN PART:** (Box) "Vitamin Lollipops \* \* \* Each Vitamin Lollipop contains \* \* \* Vitamin B<sub>1</sub>, 0.33 mg."

\*See also No. 17813.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B<sub>1</sub>, had been in part omitted or abstracted from the product.

Misbranding, Section 403 (a), the label statement "Each Vitamin Lollipop contains \* \* \* Vitamin B<sub>1</sub>, 0.33 mg." was false and misleading since the product contained less than the stated amount of vitamin B<sub>1</sub>; and the label statements "The above is as recommended by the National Research Council for the average child between ages of 1 to 12 \* \* \* Children will like this lollipop way to get their vitamins every day" were false and misleading since they implied that the National Research Council recommended the use of this lollipop to supply vitamins to children and that the lollipop supplied all the essential vitamins, when such was not the fact.

DISPOSITION: August 24, 1951. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution.

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<sup>1</sup> (17801) Prosecution contested.

<sup>2</sup> (17817) Seizure contested.

<sup>3</sup> (17804) Seizure contested. Contains opinions of the courts.

<sup>4</sup> (17808) Contempt proceedings charging resistance to seizure.