

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: July 1, 1952. Default decree of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

19348. Adulteration and misbranding of wafers of dicalcium phosphate and calcium gluconate with viosterol. U. S. v. 188 Boxes, etc. (F. D. C. No. 33271. Sample Nos. 37637-L, 37639-L to 37641-L, incl.)

LIBEL FILED: May 26, 1952, District of New Jersey.

ALLEGED SHIPMENT: Between the approximate dates of June 25, 1951, and April 23, 1952, by the Whitehall Pharmacal Co., from Elkhart, Ind.

PRODUCT: Wafers of dicalcium phosphate and calcium gluconate with viosterol. 188 boxes, each containing 200 wafers, and 1,200 boxes, each containing 60 wafers, at Bergenfield, N. J.

LABEL, IN PART: "Di-Calcium Phosphate and Calcium Gluconate with Viosterol * * * Each wafer contains: * * * Vitamin D—660 U. S. P. Units."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in whole or in part omitted.

Misbranding, Section 403 (a), the label statement "Each wafer contains: * * * Vitamin D—660 U. S. P. Units" was false and misleading since the product contained less than the stated amount of vitamin D.

DISPOSITION: August 27, 1952. Ives-Cameron Co., 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.

19349. Misbranding of Hope mineral tablets. U. S. v. 140 Tablets * * *. (F. D. C. No. 32479. Sample No. 35289-L.)

LIBEL FILED: February 1, 1952, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about December 12, 1951, by the Hope Co., from East St. Louis, Ill.

PRODUCT: 140 40-tablet bottles of Hope mineral tablets at Monroe, Wis.

LABEL, IN PART: (Bottle) "Hope Mineral Tablets Dietary Supplement Each tablet contains 20 mgm. of iron. Also traces of other minerals (extracted from a natural clay) plus ½ mgm. Vitamin B₁, 1 mgm. Vitamin B₂, and 5 mgm. Niacin." Some labels also declared "½ mcg. Vitamin B₁₂."

NATURE OF CHARGE: Misbranding, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by reason of its vitamin and mineral content; and its label failed to bear such information concerning its vitamin and mineral properties as the Federal Security Administrator has determined to be and by regulations prescribed as necessary in order fully to inform purchasers as to its value for such uses since its label bore the statement "Also traces of other minerals," and its label failed to bear, as required by the regulations, a statement of the kind and quantity of the other minerals present in a specified quantity of such food.