

**PRODUCT:** 1 carton containing approximately 3,900 multivitamin capsules; 20 250-capsule bottles and 17 100-capsule bottles of Tolco Thera-B B-Complex capsules; and 4 cartons containing approximately 14,800 vitamin and mineral capsules at Sioux City, Iowa.

Analysis showed that the article (in cartons) contained less than the declared amount of vitamin D and that the article (in bottles) contained less than the declared amount of vitamin B<sub>1</sub>.

**LABEL, IN PART:** (Cartons) "Ingredients in each capsule: \* \* \* Vitamin D \* \* \* 1,000 U. S. P. Units"; (bottles) "Vitamin B<sub>1</sub> \* \* \* 5 Mg."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin D (in cartons) and vitamin B<sub>1</sub> (in bottles), had been in part omitted or abstracted from the articles.

Misbranding, Section 403 (a), the label statements (cartons) "Ingredients in each capsule: \* \* \* Vitamin D \* \* \* 1,000 U. S. P. Units" and (bottles) "Vitamin B<sub>1</sub> \* \* \* 5 Mg." were false and misleading as applied to products which contained less than the declared amounts of vitamin D (cartons) and vitamin B<sub>1</sub> (bottles).

The articles were adulterated and misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 27, 1954. Default decree of condemnation. The court ordered that the products be delivered to a charitable institution.

**21741. Adulteration and misbranding of vitamin capsules. U. S. v. 83,500 Capsules \* \* \*. (F. D. C. No. 36501. Sample No. 89059-L.)**

**LABEL FILED:** April 14, 1954, Southern District of New York.

**ALLEGED SHIPMENT:** On or about September 21, 1951, from Worcester, Mass.

**PRODUCT:** 83,500 vitamin capsules at New York, N. Y. Analysis showed that the product contained 42 percent of the declared amount of vitamin B<sub>1</sub>.

**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 article.

Misbranding, Section 403 (a), the label statement "Each Emulsicap Contains Vitamins: \* \* \* B<sub>1</sub> (Thiamine HCl) 1 MDR 1 mg." was false and misleading as applied to an article which contained less than the stated amount of vitamin B<sub>1</sub>.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** July 26, 1954. Default decree of condemnation. The court ordered that the product be delivered to charitable institutions for their use and not for sale.

**21742. Adulteration and misbranding of Calfital vitamin tablets. U. S. v. 934 Bottles \* \* \*. (F. D. C. No. 36555. Sample No. 49662-L.)**

**LABEL FILED:** May 6, 1954, Eastern District of New York.

**ALLEGED SHIPMENT:** On or about March 10, 1954, by Morse Laboratories, from Hoboken, N. J.

**PRODUCT:** 934 50-tablet bottles of Calfital vitamin tablets at Staten Island, N. Y. Analysis showed that the product contained no vitamin B<sub>1</sub> (thiamine hydrochloride) and less than 50 percent of the declared amount of vitamin A.

**LABEL, IN PART:** (Bottle) "50 Tablets Caltinal \* \* \* High Potency Multi Vitamin Formula Each tablet contains:—Vitamin A 10,000 USP Units Vitamin D 1,000 USP Units Thiamine Hydrochloride 6 mgm. Riboflavin 4 mgm. Ascorbic Acid 100 mgm. Calcium Pantothenate 5 mgm. Pyridoxine Hydrochloride 0.5 mgm. Vit. E (Mixed Tocopherols) 1 mgm. Folic Acid 0.25 mgm. Vitamin B-12 from Streptomyces Fermentation Extractives 3 microgram."

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, vitamin A and vitamin B<sub>1</sub>, had been in whole or in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each tablet contains:—Vitamin A 10,000 USP Units \* \* \* Thiamine Hydrochloride 6 mgm." was false and misleading as applied to the article, which contained, per tablet, less than 10,000 U. S. P. units of vitamin A and less than 6 milligrams of thiamine hydrochloride. Further misbranding, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by reason of its vitamin content, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of vitamin A, vitamin B<sub>1</sub> (thiamine hydrochloride), vitamin C (ascorbic acid), vitamin D, and riboflavin supplied by the article when consumed in a specified quantity during a period of 1 day; and, since the need for calcium pantothenate and vitamin E in human nutrition has not been established, the label of the article failed also to bear, as required by regulations, the statement "The need for calcium pantothenate and vitamin E in human nutrition has not been established."

**DISPOSITION:** June 16, 1954. Default decree of condemnation and destruction.

**21743. Adulteration and misbranding of Orvita and Thyavals capsules and tablets. U. S. v. 59 Bottles, etc. (F. D. C. No. 37063. Sample Nos. 56266-L to 56268-L, incl.)**

**LABEL FILED:** August 24, 1954, Southern District of Ohio.

**ALLEGED SHIPMENT:** On or about July 13 and September 28, 1951, from Los Angeles, Calif.

**PRODUCT:** 33 16-ounce bottles and 26 8-ounce bottles of Orvita, 48 90-capsule bottles and 38 45-capsule bottles of Thyavals B complex capsules, and 12 75-tablet bottles and 36 30-tablet bottles of Thyavals multivitamin Formula 621 tablets, at Cincinnati, Ohio.

Examination showed that the Orvita contained substantially less than the declared amount of vitamin D and that the Thyavals tablets and capsules contained substantially less than the declared amounts of vitamin B<sub>1</sub>, vitamin B<sub>6</sub>, vitamin C, and niacinamide.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), valuable constituents, (Orvita) vitamin D and (Thyavals) vitamin B<sub>1</sub>, vitamin B<sub>6</sub>, vitamin C, and niacinamide, had been in part omitted or abstracted from the articles.

Misbranding, Section 403 (a), the label statements: (Orvita) "3 teaspoonsful contains: \* \* \* Vitamin D—(Fish Liver Oil) 400 U. S. P. Units," (Thyavals) "Each capsule \* \* \* Fortified With Vitamin B-1 \* \* \* 15,000 Mcg. (15 Mg.) \* \* \* Vitamin B-6 \* \* \* 125 Mcg. (0.125 Mg.) Vitamin C \* \* \* 1,000 USP Units (50 Mg.) \* \* \* Niacinamide 10,000 Mcg. (10 Mg.)," and (Thyavals) "One Red Thyaval Tablet Formula 621 provides: \* \* \* Vitamin B-1 \* \* \* 10 Mg. \* \* \* Vitamin B-6 \* \* \* 0.25 Mg. Vitamin C \* \* \* 75 Mg. \* \* \* Niacinamide 10 Mg." were false and misleading as applied to products which