

24546. Chili peppers. (F.D.C. No. 40871. S. No. 82-672 M.)

QUANTITY: 156 100-lb. bags at Toledo, Ohio.

SHIPPED: 4-23-57, from Los Angeles, Calif.

LIBELED: 10-18-57, N. Dist. Ohio.

CHARGE: 402(a)(3)—contained insects while held for sale.

DISPOSITION: 10-25-57. Consent—claimed by Woolson Spice Co., Toledo, Ohio.  
Reconditioned; 1,154 lbs. destroyed.

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

24547. Vit-Ra-Tox No. 21. (F.D.C. No. 35574. S. No. 62-612 L.)

INFORMATION FILED: 12-9-54, Dist. Mass., against V. E. Irons, Inc., Boston, Mass., and V. Earl Irons, president and treasurer.

SHIPPED: 12-16-52, from Massachusetts to Missouri.

LABEL IN PART: (Ctn.) "Vit-Ra-Tox No. 21 A Natural Food with green life In three bottles Two of No. 21A and one of No. 21B"; (btl.) "V.E. VIT-RA-TOX Irons Inc. No. 21A . . . . Part of No. 21 A Natural Food with green life Raw Veal Bone and Defatted Wheat Germ VIT-RA-TOX No. 21A with green life (2½ oz.) Green Life is a concentrate of the juices of 2 or more young, tender green cereal (grain) shoots (oats, corn, barley, rye or wheat); raised in one of the richest soils known to man on the world's largest Organic Compost Farm near Kansas City, Mo.; extracted in a manner as to retain Nature's vitamins, living enzymes, synergists, and activating minerals (except Vitamin D); a rich natural source of Carotene (provitamin A) and the complete natural complexes of Vitamins B, C, E, F, and K with the P fractions of the C complex and the WULZEN factor of the F complex, plus the living enzymes, synergists and mineral activators. It contains organic iron, calcium, phosphorus, iodine and a host of other minerals in trace amounts with Live Chlorophyll in its natural, untreated, and edible state. \* \* \* Contents 4½ ozs. in tablet form 180 tablets of 10 grs. each"; (btl.) "No. 21B V.E. VIT-RA-TOX Irons Inc. Part of No. 21 A Natural Food This part containing: Garlic Derivative Wheat Germ and Lecithin as Emulsifiers Contents 60 capsules VIT-RA-TOX No. 21B."

CHARGE: 403(j)—when shipped, 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, as required by regulations, (1) a statement of the dietary properties with respect to all of the vitamins and minerals upon which such uses were based, (2) statements of the proportions of the minimum daily requirements for each vitamin and mineral, for which minimum daily requirements have been established, which would be supplied by the article when consumed in a specified quantity during a period of 1 day, (3) statements of the quantity of each vitamin and mineral in a specified quantity of the article, for which minimum daily requirements have not been established, and (4) with respect to the vitamins and minerals in the article for which the need in human nutrition has not been established, a statement that the need in human nutrition for such vitamins and minerals has not been established.

The information alleged also that the article and similar articles, together with an article known as Vit-Ra-Tox No. 16, were misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 5308.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court and jury on 9-18-56 and was concluded on 10-2-56, with the return by the jury of a verdict of guilty. On 10-22-56, the court imposed a fine of \$6,000 against the corporation and sentenced the individual to 1 year in jail.

The case was appealed to the United States Court of Appeals for the First Circuit; and on 4-24-57, after consideration of the briefs and arguments of counsel, the court handed down an opinion affirming the judgments of the district court (244 F. 2d 34, notices of judgment on drugs and devices, No. 5308.)

A petition for a writ of certiorari was filed with the United States Supreme Court on 5-23-57, and on 6-17-57 the petition was denied.

24548. Hadacol. (F.D.C. No. 41315. S. No. 87-105 M.)

QUANTITY: 381 8-fl. oz. btls. at Charleston, W. Va.

SHIPPED: On an unknown date, from Lafayette, La.

RESULTS OF INVESTIGATION: Examination showed that the article contained less than the declared amount of vitamin B<sub>1</sub>.

LIBELED: 1-7-58, S. Dist. W. Va.

CHARGE: 402(b)(1)—a valuable constituent, vitamin B<sub>1</sub>, had been in part omitted or abstracted from the article while held for sale; and 403(a)—the label statement "4 Tablespoonfuls \* \* \* contain the Vitamins B<sub>1</sub> \* \* \* 6 mg." was false and misleading.

DISPOSITION: 1-29-58. Default—destruction.

24549. Vitamin tablets and capsules. (F.D.C. No. 40859. S. Nos. 60-580 M, 60-741 M.)

QUANTITY: 70 100-capsule btls. and 25 100-tablet btls. at Concord, N.H.

SHIPPED: 8-5-57, from Wellesley, Mass., by Randolph Laboratories.

LABEL IN PART: "Nault's \* \* \* Capsules Multiple Vitamin" and "Nault's \* \* \* Tablets Chewable Multivitamins."

RESULTS OF INVESTIGATION: Examination showed that the tablets contained 41.3 percent of the declared amount of vitamin C and that the capsules contained 42.4 percent of the declared amount of vitamin C.

LIBELED: On or about 10-25-57, Dist. N.H.

CHARGE: 402(b)(1)—a valuable constituent, vitamin C, had been in part omitted or abstracted from the articles when shipped; and 403(a)—the label statements "Each Capsule Contains \* \* \* Vitamin C \* \* \* 50 mg." and "Each Tablet Contains \* \* \* Ascorbic Acid 75 mg." were false and misleading.

DISPOSITION: 12-20-57. Default—destruction.

24550. Vitamin tablets and capsules. (F.D.C. No. 40858. S. Nos. 75-510/12 M.)

QUANTITY: 37 100-tablet btls. and 18 100-capsule btls. at New London, Conn.

SHIPPED: Between 3-25-57 and 9-2-57, from Wellesley, Mass., by Randolph Laboratories, Division of Randolph Refining Corp.

LABEL IN PART: "Ethical \* \* \* Tablets Chewable Multivitamins" and "Capsules Multivitamin."

RESULTS OF INVESTIGATION: Examination showed that the vitamin tablets contained not more than 39.2 percent of the declared amount of vitamin C and that the vitamin capsules contained no vitamin C.