

be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2821.

On June 16, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

477. Adulteration and misbranding of R M Dietary Supplements Vitamin A and D. U. S. v. 38 Bottles of R M Dietary Supplements Vitamin A and D. Default decree of condemnation. Product ordered distributed to hospitals. (F. D. C. No. 4304. Sample No. 8319-E.)

This product was represented to contain 3,140 International Units of vitamin A and 314 International Units of vitamin D per tablet, but contained not more than 30 U. S. P. units of vitamin A and not more than 150 U. S. P. units of vitamin D. (By definition, 1 U. S. P. unit of vitamin A or D is equivalent to 1 International Unit of the same vitamin.) A large core of cotton extended more than halfway to the bottom of the bottle and tablets surrounded the cotton. When the cotton was removed, the tablets filled the bottle approximately half full.

On April 12, 1941, the United States attorney for the District of Minnesota filed a libel against 38 bottles of the above-named product at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about November 2, 1940, by Ryer Mouser from Los Angeles, Calif.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it was represented to possess.

It was alleged to be misbranded in that the following statements appearing on the label were false and misleading: "Each Tablet Contains Vitamin A from fish liver oil * * * 3140 I. U. Vitamin D from fish liver oil 314 I. U." It was alleged to be misbranded further in that its container was so filled as to be misleading.

It was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods reported in F. N. J. No. 2549.

On May 29, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered distributed to hospitals chosen by the marshal in his discretion.

478. Adulteration and misbranding of Vi-An Tablets. U. S. v. 30 Bottles and 24 Bottles of Vi-An Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3821. Sample No. 55245-E.)

Each of these tablets was represented to contain 1,250 International Units of vitamin A and 125 International Units of vitamin D, but biological assay showed that they contained not more than 40 International Units of vitamin A and 60 International Units of Vitamin D.

On February 14, 1941, the United States attorney for the Western District of Washington filed a libel against the above-named product at Seattle, Wash., alleging that it had been shipped by Vegetrates, Inc., from Los Angeles, Calif., on or about November 29, 1940; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that its strength differed from and its quality fell below that which it was represented to possess. It was alleged to be misbranded in that the statement "Four tablets a day * * * furnish: Vitamin A . . . 5,000 I. U. * * * Vitamin D . . . 500 I. U." was false and misleading since it was incorrect.

It also was alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2822.

On April 24, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

479. Adulteration and misbranding of poultry cod-liver oil. U. S. v. 19 Drums of Cod-Liver Oil. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 4073. Sample No. 38450-E.)

This product was labeled as containing 400 A. O. A. C. chick units of vitamin D per gram, but contained not more than 320 such units per gram.

On March 28, 1941, the United States attorney for the District of Minnesota filed a libel against 19 drums of cod-liver oil at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce on or about July 17, 1940, by the New England By-Products Corporation from Gloucester, Mass.; and charging that it was adulterated and misbranded. The article was labeled in part: "Gorton's G P Cod Liver Oil Fortified."