

569. Adulteration and misbranding of McCollum's Vitamin A and D Tablets. U. S. v. 8 Bottles of McCollum's Vitamin A and D Tablets. Default decree of condemnation and destruction. (F. D. C. No. 5694. Sample No. 61358-E.)

Examination of this product showed that it was more than 50 percent deficient in vitamin A and more than 40 percent deficient in vitamin D.

On September 16, 1941, the United States attorney for the District of Oregon filed a libel against 8 bottles, each containing 60 tablets, of the above-named product at Portland, Oreg., alleging that the article had been shipped on or about July 12 and 25, 1941, by McCollum Laboratories from Hollywood, 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, namely: "Each tablet contains 3000 International Units of Vitamin A * * * and 300 International Units of Vitamin D," since each tablet contained much less than 3,000 International Units of vitamin A and 300 International Units of vitamin D. It was alleged to be misbranded in that the above-quoted statement was false and misleading.

It was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2989.

On December 21, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

570. Adulteration and misbranding of Bio Vita Vitamin Oil. U. S. v. 23 Gallon Cans of Bio Vita Vitamin Oil. Default decree of condemnation and destruction. (F. D. C. No. 4378. Sample No. 60505-E.)

This veterinary product, in addition to containing a smaller amount of vitamin D than that represented in the labeling, also contained false and misleading therapeutic claims.

On April 21, 1941, the United States attorney for the District of Massachusetts filed a libel against the above-named product at Lexington, Mass., alleging that it had been shipped by Bioproducts, Inc., from Astoria, Oreg., on or about February 11, 1941; and charging that it was adulterated and misbranded.

Biological examination of a sample of the article showed that it contained not more than 175 U. S. P. units of vitamin D per gram.

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

It was alleged to be misbranded in that the following statements on the label were false and misleading since it would not be efficacious for such purposes: "250 USPXI Units Vitamin D per gram * * * Vitamin A is important to good fur, to build resistance to respiratory diseases, to insure good breeding, to promote growth, to prevent urinary calculi. Aids in maintaining good skin condition."

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2987.

On July 8, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

571. Adulteration and misbranding of Codroll. U. S. v. 20 Drums of Codroll. Default decree of condemnation ordering that the product be relabeled and sold as ordinary feed. (F. D. C. No. 4400. Sample No. 29068-E.)

This product was represented to contain 3.71 percent of cod-liver-oil extract containing 4,833 units of vitamin A per gram, which would indicate that the product contained 179 units of vitamin A per gram; whereas examination showed that it contained only 88 units of vitamin A per gram. Furthermore, no statement of contents appeared on the container.

On April 19, 1941, the United States attorney for the Northern District of Ohio filed a libel against 20 drums, each containing 100 pounds, of Codroll at Ashland, Ohio, alleging that the article had been shipped in interstate commerce by Pho-So-Ash Products Corporation from Kendallville, Ind., on or about February 10, 1941; 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, namely, "Ingredients—Cod liver oil extract 3.71 per cent (4833 units vitamin A per gram * * *)."

It was alleged to be misbranded (1) in that the above-quoted statement on the label was false since it was incorrect; and (2) in that the package (drum) did not bear an accurate statement of the quantity of contents.

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 2857.