

and "Approximate composition of one ounce of Vitasol 1,000 U. S. P. Units Vitamin A 150 International Units Vitamin B₁ * * * Grams Per Ounce * * * Iron—0.0067 Phosphorus—0.170."

It was alleged to be misbranded further in that the statements, "Vitasol * * * Health Builder * * * Dedicated to the Betterment of Health * * * Vitamin A is vital to eyesight. Vitamins B₁, B₂ (G) stimulates the appetite, aids digestion. Vitamin C Favors good bone and tooth formation, prevents scurvy. The 'Sunshine Vitamin D' is important to general health, utilizes calcium and phosphorus in building strong teeth and bones. Organic Iron helps increase red corpuscle growth. Yeast as an aid to good blood and body functions. Dextrose for restoring energy. Soy Bean rich in protein (strength food). * * * Vitasol * * * health builder * * * quick revitalizing food for all active adults. Vitamins Vigor Vitality," borne on the jar label, were misleading since they suggested that the article would prevent scurvy; that impaired health, poor eyesight, poor appetite and digestion, poor teeth and bones, general ill health, inadequate red corpuscle growth, poor functioning of the blood and body, low energy, weakness, poor health, and lack of vitality and vigor are frequently caused by lack of the vitamins and other substances named; and that the reader might reasonably expect that the article would be efficacious in the prevention of scurvy and in conditions of impaired health as described above, whereas the article would not prevent scurvy, the conditions of impaired health as described are not frequently caused by lack of the vitamins or other substances named in the labeling, but usually result from other causes, and the reader might not reasonably expect the article to be efficacious to prevent scurvy or better such conditions of impaired health.

The article was alleged to be misbranded further in that the statements, "Vitasol * * * prepared to provide a wide variety of protecting food elements (not available in the ordinary diet) essential to abundant vitality and health," borne on the jar label, were false and misleading since the article would not provide a wide variety of protecting food elements that are not available in the ordinary diet and are essential to abundant vitality and health.

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in the notices of judgment on foods.

On April 22, 1943, the defendant having entered a plea of guilty to the 2 counts of the information, the court imposed a fine of \$500 on count 1. Sentence was suspended on count 2, and the defendant was placed on probation for 2 years.

1209. Adulteration and misbranding of Estrovin in Oil and sodium morrhuate. U. S. v. The Adson-Intrasol Laboratories, Inc. Plea of guilty. Fine, \$500 and 3 years' probation. (F. D. C. No. 7721. Sample Nos. 7697-E, 7698-E, 95341-E.)

On August 4, 1943, the United States attorney for the Southern District of New York filed an information against the Adson-Intrasol Laboratories, Inc., New York, N. Y., alleging that on or about January 28 and March 11, 1942, the defendant introduced and caused to be introduced into interstate commerce at New York, N. Y., for delivery to Los Angeles and San Francisco, Calif., quantities of Estrovin in Oil and sodium morrhuate.

The Estrovin in Oil was alleged to be adulterated in that it purported and was represented to possess, in each cubic centimeter, a biological activity equivalent to the activity of 5,000 International Units of estrogenic ovarian follicular hormones, whereas it possessed a biological activity of not more than 1,100 International Units of estrogenic ovarian follicular hormones in each cubic centimeter. It was alleged to be misbranded in that the statements in its labeling, "Estrovin In Oil * * * 1 c. c. contains therapeutic activity of 5,000 i. u. of estrogenic ovarian follicular hormones," and "Estrovin In Oil 1 c. c. 5,000 I. U.," were false and misleading.

The sodium morrhuate was alleged to be adulterated in that it purported and was represented to contain 5 percent of sodium morrhuate, whereas it contained not more than 1.1 percent of sodium morrhuate. It was alleged to be misbranded in that the statements appearing in its labeling, "Sodium Morrhuate * * * 5%," and "Sodium Morrhuate 'Intrasol' is a sterile colloidal solution containing Sodium Morrhuate * * * 5%," were false and misleading.

On August 23, 1943, the defendant entered a plea of guilty, and on August 30, 1943, the court imposed a fine of \$250 to cover counts 1 and 2, and \$250 to cover counts 3 and 4, a total fine of \$500, and placed the defendant on probation for 3 years.