

**3835. Adulteration of string sugar. U. S. v. 296 Bags of String Sugar. Consent decree of condemnation and forfeiture. Product ordered released under bond to be re-refined.** (F. D. C. No. 6073. Sample No. 71501-E.)

Examination showed that this product contained rodent hairs, ants, and insect fragments.

On October 24, 1941, the United States attorney for the Eastern District of Missouri filed a libel against 296 bags, each containing about 420 pounds, of string sugar at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about July 18, 1941, by J. A. Dumaine & Co. from New Orleans, La.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On November 14, 1941, the Switzer Companies, St. Louis, Mo., claimant, having petitioned authority to withdraw samples of the seized goods, an order was entered permitting the petitioner and the Government to take such samples. On April 2, 1942, the claimant having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be re-refined under the supervision of the Food and Drug Administration.

**3836. Adulteration of string sugar. U. S. v. 800 Bags of String Sugar. Consent decree of condemnation. Product ordered released under bond to be re-refined.** (F. D. C. No. 6074. Sample No. 71502-E.)

Examination showed that this product contained ants, insect fragments, and rodent hairs.

On October 24, 1941, the United States attorney for the Eastern District of Missouri filed a libel against 800 100-pound bags of string sugar at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about July 18, 1941, by Smedes Bros., Inc., from Cade, La.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth. The article was labeled in part: "Oasis Softs."

On April 2, 1942, Switzer Companies, St. Louis, Mo., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be re-refined under the supervision of the Food and Drug Administration.

**3837. Adulteration of string sugar. U. S. v. 1,271 Bags of String Sugar. Consent decree of condemnation. Product ordered released under bond to be re-refined.** (F. D. C. No. 6076. Sample No. 71506-E.)

Examination showed that this product contained rodent excreta, rodent hairs, and insect fragments.

On October 24, 1941, the United States attorney for the Eastern District of Missouri filed a libel against 1,271 bags, each containing 100 pounds, of string sugar at St. Louis, Mo., alleging that the article had been shipped in interstate commerce on or about July 16, 1941, by Vermillion Sugar Co., Inc., from Abbeville, La.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance, and in that it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

On April 2, 1942, the Vermillion Sugar Co., Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond conditioned that it be re-refined under the supervision of the Food and Drug Administration.

#### FOODS FOR SPECIAL DIETARY USE

**3838. Adulteration and misbranding of Adiron tablets. U. S. v. Lawrence M. Williams (Lawrence Laboratories). Plea of guilty. Fine, \$250 and costs.** (F. D. C. No. 5531. Sample Nos. 60557-E, 60558-E.)

This product contained fewer units of vitamins A and D than it was represented to contain.

On February 27, 1942, the United States attorney for the Northern District of Illinois filed an information against Lawrence M. Williams, trading as Lawrence Laboratories, Chicago, Ill., alleging shipment in interstate commerce on or about March 7, 1941, from the State of Illinois into the State of Washington of a quantity of Adiron which was adulterated and misbranded.

The article was alleged to be adulterated in that valuable constituents, vitamins A and D, had been in part omitted or abstracted therefrom.

It was alleged to be misbranded in that the statement on the label, "Adiron \* \* \* Tablets, each contain \* \* \* 1200 U. S. P. XI units Vitamin 'A' 180 U. S. P. XI Units Vitamin 'D'," was false and misleading since each tablet contained not more than 300 U. S. P. XI units of vitamin A, and not more than 100 U. S. P. XI units of vitamin D.

The information also alleged that it was adulterated and misbranded (and that another article, Floramucin, was misbranded) under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices.

On March 3, 1942, a plea of guilty was entered to all charges and the court imposed a fine of \$250, which covered all counts of the information.

**3839. Misbranding of Merlek Mineral Water. U. S. v. Michael Lee (Lee Bros.).**  
**Plea of nolo contendere. Fine, \$1,000. Defendant placed on probation**  
**for 5 years. (F. D. C. No. 5527. Sample No. 7399-E.)**

This product consisted of sea water to which had been added a small amount of potassium iodide. Its labeling bore false and misleading claims regarding its mineral content and its efficacy in conditions of impaired health resulting from mineral deficiency.

On January 3, 1942, the United States attorney for the Northern District of California filed an information against Michael Lee, trading as Lee Bros. at Oakland, Calif., alleging shipment on or about May 18, 1940, from the State of California into the State of Arizona of a quantity of Merlek which was misbranded.

The article was alleged to be misbranded in that the statements, "Contains Parts Per Million (Approximate Analysis) Sodium & Potassium Chlorides: 28924.7 Magnesium Chloride: 3286.9 Magnesium Sulphate: 3106.7 Calcium Sulphate: 857.3 Calcium Chloride: 573.0 \* \* \* Magnesium Bromide: 76.0 Alkaline Nitrates: 42.5 Traces of Phosphorus, Boron, Silica, Sodium Fluoride, Iron Oxide, Aluminum Oxide \* \* \* Merlek is sold only to help supply minerals for mineral deficiency," borne on the label, were false and misleading since they represented and suggested that it contained the above-named minerals in amounts sufficient to contribute in an important respect to the requirements of the body for such minerals, and that it would be efficacious in conditions of impaired health resulting from deficiency of said minerals; whereas it would not contribute in an important respect to the requirements of the body for such minerals since it contained inconsequential amounts of minerals and would not be efficacious in conditions of impaired health resulting from deficiency of such minerals. It was alleged to be misbranded further in that its labeling was misleading since it failed to reveal the fact, material in the light of the representations in the labeling, that it consisted of sea water to which had been added a small amount of potassium iodide.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in D. D. N. J. No. 729.

On June 9, 1942, the defendant entered a plea of nolo contendere and the court imposed a fine of \$1,000 and placed the defendant on probation for 5 years.

**3840. Misbranding of Betene. U. S. v. 350 Cans and 130 Cans of Betene. Decree**  
**of condemnation. Product ordered released under bond to be relabeled.**  
**(F. D. C. No. 6877. Sample No. 64672-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy as an aid in weight control and as a tonic.

On February 16, 1942, the United States attorney for the Western District of Pennsylvania filed a libel against 216 cans (amended on March 21, 1942, to cover 480 cans) of Betene at Rochester, N. Y., alleging that the article had been shipped in interstate commerce on or about November 25, 1941, from Rochester, N. Y., by the L. H. Stewart Corporation; and charging that it was misbranded.

Analysis of the article showed that it consisted essentially of a mixture of dried skim milk, dried egg yolk, soya bean tissues, wheat bran, wheat germ, salt, agar agar, calcium phosphate, chondrus (Irish moss), and saccharin, flavored with cocoa, vanillin, and coumarin, together with certain added vitamin substances.

The article was alleged to be misbranded in that statements in the labeling which represented and suggested that when consumed as directed, it would cause an increase in weight, would supply vigor and vitality to the user and that it constituted a sure, sane, safe, and effective way to reduce, were false and misleading since its consumption would not accomplish such results.

It was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in D. D. N. J. No. 732.