

PRODUCT: 438 1½-pound gift packages at Los Angeles, Calif.

The article consisted of a cellophane-wrapped pottery casserole which contained two layers. The top layer, which was visible through the cellophane, consisted of a 2½-ounce jar of jelly in a pleated paper cup, surrounded by 6 paper cups containing wrapped candies and 2 paper cups containing cookies. The bottom layer was a jumble pack of small cookies.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the article contained cookies which were unfit for food since they were stale and rancid.

Misbranding, Section 403 (d), the container was so filled as to be misleading, since the bottom layer, which could not be seen by the purchaser, consisted entirely of cookies which were of less value than the top layer.

DISPOSITION: September 13, 1944. No claimant having appeared, judgment of condemnation was entered and the assorted candies and jellies which constituted the fit portion of the article were ordered sold, as well as the pottery casserole. The cookies which constituted the unfit portion were ordered destroyed.

6195. Adulteration of baker's yeast. U. S. v. 35 Bags of Baker's Yeast. Default decree of condemnation and destruction. (F. D. C. No. 13348. Sample No. 63349-F.)

LIBEL FILED: August 17, 1944, Northern District of Georgia.

ALLEGED SHIPMENT: On or about July 3, 1944, by Henry A. Kohman, from Pittsburgh, Pa.

PRODUCT: Baker's yeast, 35 bags, each containing 10 pounds, at Atlanta, Ga.

VIOLATIONS CHARGED: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

DISPOSITION: September 18, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

6196. Misbranding of Butex. U. S. v. 8 15-Pound Drums and 1 25-Pound Drum of Butex. Default decree of condemnation and destruction. (F. D. C. No. 12414. Sample No. 69898-F.)

LIBEL FILED: May 26, 1944. District of Colorado.

ALLEGED SHIPMENT: On or about March 10, 1944, by Weber and Mollner, Ltd., Los Angeles, Calif.

PRODUCT: 145 pounds of Butex at Denver, Colo.

VIOLATIONS CHARGED: Misbranding, Section 403 (a), in that the label statements, "The Original and Only Butex A Unique Flavor Essence For 'That Butter-Like Taste' Made with Natural Flavoring Oils derived from Butter, fortified by Oils developed from a Fermented Culture, and processed with Certain Fixatives 'to keep the butter-like taste from baking out'. Enriches All Baking and Cooking," were false and misleading in that they implied that the article was essentially a natural butter flavoring, whereas it was essentially an artificial flavoring with little, if any, natural butter flavoring; and in that the statement "Enriches All Baking and Cooking" was false and misleading since the product did not enrich, but artificially flavored, food; Section 403 (c), the product was an imitation of another food, butter flavor, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and, Section 403 (i) (2), the article was a flavoring sold as such, fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient.

DISPOSITION: July 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

VITAMIN PREPARATIONS

6197. Adulteration and misbranding of Hiran and Kal Tablets. U. S. v. 52 Bottles of Hiran and 150 Bottles of Kal Tablets. Default decrees of condemnation and destruction. (F. D. C. No. 10969. Sample Nos. 55509-F, 55510-F.)

LIBELS FILED: October 21, 1943, Western District of Washington.

ALLEGED SHIPMENT: On or about May 21, June 28 and September 8, 1943, by Makers of Kal, Inc., from Los Angeles, Calif.

PRODUCT: Hiran, 28 bottles, each containing 100 tablets, and 24 bottles, each containing 350 tablets, at Seattle, Wash.; Kal Tablets, 12 bottles, each containing 650 tablets, 102 bottles, each containing 100 tablets, and 36 bottles, each containing 375 tablets, at Seattle, Wash.

Examination disclosed that the Hiran Tablets contained, per 6 tablets, 720 U.S.P. units of vitamin A and less than 225 U.S.P. units of vitamin D; and that the Kal Tablets contained approximately 750 U.S.P. units of vitamin D per 6 tablets.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), valuable constituents, vitamins A (Hiran) and D (Hiran and Kal Tablets), had been in whole or in part omitted or abstracted from the products.

Misbranding, Section 403 (a), the statements appearing on the label of the Hiran, "Rich in * * * Vitamins A * * * D * * * Three tablets furnish * * * vitamins in the following quantity and percentage of the minimum daily adult requirement. * * * Vitamin A 2500 USP Units (Approx.) 62% * * * Vitamin D 450 USP Units (Approx.) 112%. Two tablets three times a day furnish * * * the following vitamins and percentages of the minimum daily adult requirement. Vitamin A 5000 USP Units (Approx.) 125% * * * Vitamin D 900 USP Units (Approx.) 225%," were false and misleading as applied to a product deficient in the stated amounts of vitamins A and D; and the statements appearing on the label of the Kal Tablets, "6 Kal Tablets Supply These Percentages of the Minimum Adult daily requirements * * * Vitamin D 1500 U.S.P. Units 375%," were false and misleading as applied to a product deficient in the stated amount of vitamin D.

DISPOSITION: July 29, 1944. No claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

6198. Adulteration and misbranding of Multi-Vitamin Gelucaps Tablets. U. S. v. 4,943,500 Multi-Vitamin Gelucaps Tablets. Consent decree of condemnation. Product released under bond for relabeling and reprocessing. (F. D. C. No. 12415. Sample No. 82209-F.)

LIBEL FILED: May 26, 1944. District of New Jersey.

ALLEGED SHIPMENT: From on or about March 22 to April 6, 1944, by the Keith-Victor Pharmacal Co., St. Louis, Mo.

PRODUCT: 4,943,500 Multi-Vitamin Gelucaps Tablets at Newark, N. J.

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), in that a valuable constituent, vitamin A, has been in whole or in part omitted or abstracted from the product.

Misbranding, Section 403 (a), in that the statement in the labeling, "Each Spheroid Has Vitamin Potencies as Follows: Vitamin A (from Fish Liver Oil) 2500 USP units * * *," was false, since the article contained a lesser amount of vitamin A, not more than 50 percent of the quantity declared.

DISPOSITION: July 3, 1944. The Keith-Victor Pharmacal Co. having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for relabeling, reprocessing, reconditioning, or salvage, under the supervision of the Food and Drug Administration.

6199. Adulteration of JXL Vitamin B Complex Tablets. U. S. v. 68 Bottles of JXL Vitamin B Complex Tablets. Default decree of condemnation and destruction. (F. D. C. No. 13325. Sample No. 81779-F.)

LIBEL FILED: August 10, 1944, Eastern District of New York.

ALLEGED SHIPMENT: On or about June 7, 1944, by S. O. Barnes & Son, Gardena, Calif.

PRODUCT: JXL Vitamin B Complex Tablets, 68 bottles at Jackson Heights, Long Island, N. Y.

This product was sold as vitamin B complex tablets, but upon examination was found to consist of a drug containing laxative plant drugs.

LABEL, IN PART: "JXL Vitamin B Complex."

VIOLATION CHARGED: Adulteration, Section 402 (b) (2), a laxative drug had been substituted in whole or in part for vitamin B complex, which the product was represented to be.

DISPOSITION: September 8, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.