

correct these conditions. The conditions referred to do not commonly and usually result from lack of vitamins and minerals, but result from many and varied causes, and the user might not reasonably expect that the consumption of the articles would bring about correction of such conditions, since the products would not ordinarily be effective for such purposes.

Further misbranding, Section 403 (a), the statement, "1 Lb. 6 Oz. Net," borne on the jar labels of both products, was false and misleading since the jars contained less than 1 pound, 6 ounces, net weight.

Misbranding, Section 403 (e), the labels failed to bear an accurate statement of the quantity of the contents.

Misbranding, Section 403 (j), the products were purported to be and were represented as foods for special dietary uses by man by reason of their content of (both products) vitamin A, vitamin B₁, vitamin B₂, and niacinamide, (Min-O-Malt) vitamin D, calcium, phosphorus, and iron, and (Vita-Lac) vitamins A and D, calcium, and iron; but their labels failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements for those vitamins and minerals for which minimum daily requirements have been established, and which would be supplied by the articles when consumed in a specified quantity during a period of 1 day. In addition, the label of the Min-O-Malt failed to bear a statement of the quantity of niacinamide contained in a specified quantity of the article.

DISPOSITION: August 2, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$300 on each count, a total fine of \$900.

8995. Misbranding of Vitalex Tablets. U. S. v. Edward S. Hidden (Carolina Chemical Co.). Plea of guilty. Fine, \$500; sentence of 1 year imprisonment suspended and defendant placed on probation for 5 years, conditioned upon payment of fine. (F. D. C. No. 14262. Sample No. 68503-F.)

INFORMATION FILED: February 6, 1945, Eastern District of South Carolina, against Edward S. Hidden, trading as the Carolina Chemical Co., Charleston, S. C.

ALLEGED SHIPMENT: On or about July 12, 1944, from the State of South Carolina into the State of Ohio.

PRODUCT: The Vitalex Tablets were packaged in boxes, each box containing 2 unlabeled envelopes, one envelope containing brown-colored tablets and the other containing light-colored tablets. Analyses showed that the brown-colored tablets contained iron sulfate and that the light-colored tablets contained brewer's yeast.

LABEL, IN PART: "Vitalax Vitamins and Iron Tablets."

NATURE OF CHARGE: Misbranding, Section 403 (j), the tablets purported to be and were represented as food for special dietary uses by man by reason of their vitamin properties in respect to vitamin B₁, vitamin G, niacin, and other factors of the vitamin B complex, and by reason of their mineral properties in respect to iron; but their labels did not bear, as required by the regulations, a statement of the proportion of the minimum daily requirements for vitamin B₁, vitamin G, and iron, which would be supplied by the tablets when consumed in a specified quantity during a period of 1 day; and their labels also failed to bear a statement of the quantity of niacin and other factors of the vitamin B complex which would be present in a specified quantity of the tablets customarily or usually consumed during a period of 1 day.

Further misbranding, Section 403 (e), the envelopes containing the tablets bore no statement of the name and place of business of the manufacturer, packer, or distributor, or of the quantity of the contents of the envelopes.

The information also alleged that an article known as Lax Thyroid Tablets was misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1555.

DISPOSITION: May 18, 1945. A plea of guilty having been entered, the court imposed a fine of \$500, covering both violations, and sentenced the defendant to imprisonment for 1 year. The jail sentence was suspended and the defendant was placed on probation for 5 years, conditioned upon the payment of the fine.