

ALLEGED SHIPMENT: On or about February 3, 1942, and October 11, 1943, by the Burrough Brothers Manufacturing Co., from Baltimore, Md.

PRODUCT: 9 vials of halibut liver oil capsules and 19 packages of vitamins A, B, D, and G capsules at Washington, D. C.

LABEL, IN PART: "Silver Line Halibut Liver Oil," or "Silver Line Vitamin A, B, D, & G capsules."

NATURE OF CHARGE: *Halibut liver oil capsules.* Adulteration, Section 402 (b) (1), a valuable constituent, vitamin A, had been in part omitted or abstracted from the article. Misbranding, Section 403 (a), the label statements, (vial) "One capsule contains not less than 5000 U. S. P. units of vitamin A" and (carton) "1 capsule contains at least 5000 U. S. P. units of vitamin A," were false and misleading since the product did not contain the stated amount of vitamin A.

Vitamins A, B, D, and G capsules. Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in part omitted or abstracted from the article. Misbranding, Section 403 (a), the label statements, "Each capsule contains not less than * * * Vitamin B₁ (thiamin chloride) 200 U. S. P. units" and "The maximum dose supplies not less than the adult minimum daily requirements of vitamins * * * B₁," were false and misleading since the article did not contain or supply the stated amount of vitamin B₁.

DISPOSITION: April 17, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered delivered to a public institution.

9192. Misbranding of vitamin B complex tablets and vitamin and mineral tablets. U. S. v. 76 Packages of Vitamin B Complex Tablets, etc. Default decree of condemnation and destruction. (F. D. C. No. 16285. Sample Nos. 6327-H, 6328-H.)

LABEL FILED: May 29, 1945, Southern District of New York.

ALLEGED SHIPMENT: On or about January 19, 1945, by the City Food Mart, Fort Atkinson, Wis.

PRODUCT: 76 packages of vitamin B complex tablets, 119 packages of vitamin B complex with added thiamine, and 55 packages of vitamin and mineral tablets at New York, N. Y. Also approximately 50 leaflets entitled "Buoyant Health for All the Family," 50 leaflets entitled "For Your Health's Sake," 6 display racks entitled "Feel Fit as a Major," and 12 circular display cards entitled "Ask for Major-B Brand."

LABEL, IN PART: "Major-B Natural Vitamin B Complex Tablets [1 lot further labeled "with Added Thiamine"]," or "Major Vitamins and Minerals Vitamins A B₁ D with Calcium Phosphorus Iron."

NATURE OF CHARGE: *Vitamin B complex tablets and vitamin B complex tablets with added thiamine.* Misbranding, Section 403 (a), certain statements in accompanying leaflets entitled "Buoyant Health for All the Family" and "Vitamins for Victory," and on the display racks, were false and misleading since they created the impression that the articles would be effective to provide greater energy, steadier nerves, better digestion, improved health and vigor, better appetite, insurance from vitamin deficiencies, physical well-being, and protection against frequent colds, constipation, fatigue, digestive upsets, and other common ills; that they would provide the vitamins found in whole wheat bread, eggs, milk, liver, and tomato juice; that they contained nutritionally significant amounts of all vitamins of the B complex; that there are widespread dietary deficiencies that would be corrected by use of the articles; that ordinary foods are unreliable sources of vitamins; and that it is desirable, if not necessary, to supplement the ordinary diet with such vitamins. The articles would not fulfill the promises of benefit stated and implied, and it is not true that there are widespread dietary deficiencies that would be corrected by use of the articles and that ordinary foods are unreliable sources of vitamins.

Vitamin and mineral tablets. Misbranding, Section 403 (a), certain statements in the leaflet entitled "For Your Health's Sake" were false and misleading since they created the impression that the article would be effective to provide vigor, health, and energy; that it would build resistance to colds; that it would prevent fatigue; that it would be effective in the treatment and prevention of nervousness, improper digestion, poor appetite, loss of weight, constipation, night blindness, premature aging, and poor teeth and gums; that

it would be effective to provide the vitamins and minerals found in eggs, milk, chicken, cabbage, and cottage cheese; and that foods are unreliable sources of vitamins, and, therefore, it is desirable, if not necessary, to supplement the diet with the article. The article would not be effective for the purposes stated; there are no widespread dietary deficiencies that would be corrected by the use of the article; the article would not supply the vitamins and minerals found in the foods named; and foods are reliable sources of vitamins and minerals.

The articles were also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1682.

DISPOSITION: June 20, 1945. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

9193. Misbranding of vitamin B complex tablets. U. S. v. 38 Bottles of High Potency Vitamin B Complex Tablets, and a number of circulars. Default decree of condemnation and destruction. (F. D. C. No. 16638. Sample No. 27914-H.)

LABEL FILED: June 25, 1945, District of Oregon.

ALLEGED SHIPMENT: The article was shipped on or about March 14, 1945, and the circulars were shipped during the year 1943 by Nature's Minerals Co., from Indianapolis, Ind.

PRODUCT: 38-bottles of vitamin B complex tablets and a number of accompanying circulars entitled "High Potency Vitamin B Complex," at Portland, Oreg. Analysis showed that the product would supply the declared ingredients.

LABEL, IN PART: "High Potency Vitamin B Complex * * * Each Tablet contains the minimum adult daily requirement of vitamin B-1; $\frac{1}{4}$ that of B-2; $\frac{3}{8}$ that of Iron. The two tablets containing 10 mg. Nicotinic Acid and Riboflavin 0.10 mgms."

NATURE OF CHARGE: Misbranding 403 (a), the label statement, "High Potency Vitamin B Complex," was false and misleading as applied to an article which would supply only the minimum adult daily requirement of vitamin B₁ and smaller proportions of other vitamins in the B complex; and certain statements in the circular were false and misleading since they represented and suggested that the article would be effective in preventing or overcoming general vitamin deficiencies and in improving health. The article would not be effective for such purposes.

The article was also alleged to be misbranded under the provisions of the law applicable to drugs, as reported in the notices of judgment on drugs and devices, No. 1790.

DISPOSITION: September 10, 1945. No claimant having appeared, judgment of condemnation was entered and the product and circulars were ordered destroyed.

9194. Adulteration and misbranding of Kent Vitamin Capsules. U. S. v. 124 Display Cards Holding 25 Packages of Kent Vitamin Capsules. Default decree of condemnation and destruction. (F. D. C. No. 12098. Sample No. 43288-F.)

LABEL FILED: March 29, 1944, District of Nebraska.

ALLEGED SHIPMENT: On or about January 26 and August 6, 1943, by the Cupples Co., from St. Louis, Mo.

PRODUCT: 124 display cards, each holding 25 packages, of Kent Vitamin Capsules, at Omaha, Nebr. Samples of the product were found to contain not more than 266 units of vitamin B₁ and not more than 240 units of vitamin D per capsule.

LABEL, IN PART: "Kent Vitamins A B₁ D. Each soluble gelatine capsule contains not less than * * * Vitamin B₁ 333 U. S. P. Units * * * Vitamin D 400 U. S. P. Units."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamin B₁ and vitamin D, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), certain statements in the labeling were false and misleading since the article would not be effective in keeping the individual