

since the product contained less than the declared amount of vitamin D and would not provide the stated proportion of the minimum daily requirement for vitamin D.

DISPOSITION: December 9, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11094. Misbranding of Ademo Tablets. U. S. v. 36 Bottles * * * and a number of circulars. (F. D. C. No. 19734. Sample Nos. 19552-H, 19553-H.)

LIBEL FILED: May 1, 1946, Northern District of Iowa.

ALLEGED SHIPMENT: On or about April 30 and August 20, 1945, and February 6, 1946, by H. W. Walker and Co., from Chicago, Ill.

PRODUCT: 10 300-tablet bottles, 14 150-tablet bottles, and 12 42-tablet bottles of Ademo Tablets at Cedar Rapids, Iowa, together with 51 circulars entitled "Powerful Rugged Red Blood."

LABEL, IN PART: "Ademo 3 Purpose Dietary Food Supplement."

NATURE OF CHARGE: Misbranding, Section 403 (a), certain statements in the circulars were false and misleading.

The article was alleged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 1985, which quotes portions of the labels indicating the composition of the products and states the nature of the false and misleading statements contained in the circulars.

DISPOSITION: June 5, 1946. No claimant having appeared, judgment of condemnation was entered and the product and circulars were ordered destroyed.

11095. Misbranding of Slims. U. S. v. 48 Boxes * * * and a number of circulars. (F. D. C. No. 19249. Sample No. 5504-H.)

LIBEL FILED: February 26, 1946, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about December 11, 1945, by the Columbia Pharmaceutical Co., from Camden, N. J.

PRODUCT: 10 boxes, each containing 1 24-tablet bottle, 24 boxes, each containing 1 72-tablet bottle and 14 boxes, each containing 1 144-tablet bottle, of Slims at Philadelphia, Pa. A number of circulars entitled "A Slims Way of Life" were enclosed in the boxes. Examination showed that the product contained vitamin B₁, riboflavin, and calcium.

LABEL, IN PART: "Slims A Vitamin Supplement To The Everyday Diet."

NATURE OF CHARGE: Misbranding, Section 403 (a), the vignette of a slim female figure on the bottle and box label, the statement "Vitalize * * * Feel Better" on the box label, and certain statements in the accompanying circular were false and misleading since they represented and suggested that the product would be effective to reduce body weight, to increase vitality, and to improve health, whereas it would not be effective for such purposes; Section 403 (f), the information concerning the vitamin properties of the article was not prominently placed on the label with such conspicuousness as to render it likely to be read by the ordinary individual under customary conditions of purchase and use, since the information appeared at right angles to the main display panel of the bottle and carton label; Section 403 (i) (2), the label of the article failed to bear the common or usual name of each ingredient; and, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by reason of its vitamin B₁, B₂, and B₆, and calcium and niacin content, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirements of vitamins B₁ and B₂, and calcium, and the amount of vitamin B₆ and niacin furnished by a specific quantity of the product when consumed during a period of 1 day. The label failed also to bear the statement that the need for vitamin B₆ in human nutrition has not been established.

DISPOSITION: March 26, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

11096. Adulteration of dietary confections. U. S. v. 284 Cases * * * (and 1 other seizure action). (F. D. C. Nos. 19708, 20044. Sample Nos. 4917-H, 4918-H, 43762-H to 43764-H, incl., 43766-H, 43767-H.)

LIBELS FILED: April 24 and June 3, 1946, Eastern District of Pennsylvania and Southern District of California.