

from the article. Each tablet of the article was represented to contain 667 micrograms of riboflavin and 3.333 micrograms of niacin, whereas each tablet contained less than those amounts of riboflavin and niacin.

DISPOSITION: May 9, 1949. A plea of guilty having been entered, the court imposed a fine of \$500 and costs.

14899. Adulteration of Gestade vitamin tablets. U. S. v. 33 Bottles * * *.

(F. D. C. No. 26878. Sample No. 43878-K.)

LIBEL FILED: March 18, 1949, Southern District of Ohio.

ALLEGED SHIPMENT: On or about November 19, 1948, from Indianapolis, Ind.

PRODUCT: 33 100-tablet bottles of Gestade vitamin tablets at Cincinnati, Ohio.

LABEL, IN PART: "Tablets Ascorbic Acid, Vitamin D, Thiamin, and Iron Compound * * * Each Tablet represents: * * * Vitamin D * * * 200 U. S. P. Units."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted from the article. The article was adulterated while held for sale after shipment in interstate commerce, and examination showed that it contained less than the declared amount of vitamin D.

DISPOSITION: May 13, 1949. Default decree of condemnation and destruction.

14900. Misbranding of Rybutol Gelucaps. U. S. v. 124 Dozen Bottles, etc.

(F. D. C. No. 26636. Sample No. 51252-K.)

LIBEL FILED: March 7, 1949, Southern District of Ohio.

ALLEGED SHIPMENT: By the Vitamin Corporation of America, from Newark, N. J. The product was shipped on or about January 11, 1949, and the labeling of the article, with the exception of certain newspaper clippings, was shipped on or about January 10 and February 12, 1949.

PRODUCT: 70 dozen bottles, each containing 100 capsules, and 54 dozen bottles, each containing 50 capsules, of Rybutol Gelucaps at Cincinnati, Ohio, in the possession of the Dow Drug Co. Warehouse, together with a number of leaflets entitled "Ask Your Doctor" and a number of Cincinnati newspaper clippings entitled "Why does your Doctor Prescribe Rybutol." The newspaper clippings were displayed with the product in the retail stores of the Dow Drug Co. Some of the clippings were pasted in the windows of the stores; or they were used as streamers, hanging from a wire in the rear of the stores in close proximity to the goods.

LABEL, IN PART: "Rybutol High Blend Natural Vitamin B Complex. Each Gelucap Contains the Whole Natural Vitamin B Complex Fortified."

NATURE OF CHARGE: Misbranding, Section 403 (a), the statement, "Hy-Blend Natural Vitamin B Complex" appearing on the labels of the article, in a leaflet entitled "Ask Your Doctor," and in the newspaper clippings, was false and misleading as applied to an article which was not a high potency natural vitamin B complex but was a mixture of some of the members of the vitamin B complex in synthetic form, an iron salt, vitamin C, and nutritionally inconsequential amounts of natural sources of the B complex.

The article also was alleged to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 2724.