mel & Co., Inc. The objections of the latter firm were overruled. On November 10, 1952, both claimants having withdrawn their claims and answers, default was noted and the court entered judgment of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

19198. Adulteration and misbranding of vitamin capsules. U. S. v. 50 Bottles * * *. (F. D. C. No. 32535. Sample No. 38581–L.)

LIBEL FILED: On or about February 25, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about November 5, 1951, by Strong, Cobb & Co., Inc., from Cleveland, Ohio.

PRODUCT: Vitamin capsules. 50 bottles, each containing 100 capsules, at New York, N. Y. Examination showed that the article contained approximately 50 percent of the declared amount of vitamin D and approximately 45 percent of the declared amount of vitamin E (mixed tocopherol).

LABEL, IN PART: "Each Capsule Contains: * * * Vitamin D 500 U. S. P. units * * * Mixed Tocopherol (E) 10 mg."

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

Misbranding, Section 403 (a), the label statement "Each Capsule Contains: * * * Vitamin D 500 U. S. P. units * * * Mixed Tocopherol (E) 10 mg." was false and misleading as applied to the product, which contained less than the declared amounts of vitamins D and E.

DISPOSITION: October 3, 1952. Default decree of condemnation and destruction.

19199. Adulteration and misbranding of Folarmour Capsulettes. U. S. v. 18 Boxes * * *. (F. D. C. No. 33034. Sample No. 37595–L.)

LIBEL FILED: April 16, 1952, Southern District of New York.

ALLEGED SHIPMENT: On or about December 11, 1951, by the Armour Laboratories, from Chicago, Ill.

PRODUCT: 18 boxes, each containing 12 bottles, of Folarmour Capsulettes at New York, N. Y.

LABEL, IN PART: "100 Capsulettes * * * Folarmour A High Potency Multivitamin Preparation * * * Each Capsulette Contains: * * * Vitamin D 500 USP Units."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted or abstracted from the product.

Misbranding, Section 403 (a), the label statement "Each Capsulette Contains: * * * Vitamin D 500 USP Units" was false and misleading since the product contained less than 500 U. S. P. units of vitamin D per "capsulette."

DISPOSITION: October 3, 1952. Default decree of condemnation and destruction.

19200. Adulteration and misbranding of Ethonatal Caplets. U. S. v. 24 Bottles, etc. (F. D. C. No. 33560. Sample Nos. 2414–L to 2416–L, incl.)

*See also No. 19154.

LIBEL FILED: On or about September 2, 1952, Northern District of Georgia.

ALLEGED SHIPMENT: On or about May 21 and July 3, 1952, by the Preston Laboratories, Inc., from Chicago, Ill.

PRODUCT: 24 1,000-caplet bottles and 52 and 101 100-caplet bottles of Ethonatal Caplets at Atlanta, Ga.

Analysis showed that the product (all lots) contained less than the declared amounts of thiamine hydrochloride and vitamin D and that the product (24-bottle and 101-bottle lots) also contained less than the declared amount of ascorbic acid.

LABEL, IN PART: (Bottle) "E–1010 Ethex Ethonatal Caplets Vitamins—Minerals A scientifically balanced formula of Vitamins and Minerals for use during pregnancy and lactation and as a diet supplement."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, thiamine hydrochloride and vitamin D, had been in whole or in part omitted or abstracted from the article (all lots), and a valuable constituent, ascorbic acid, also had been in whole or in part omitted or abstracted from the article (24-bottle and 101-bottle lots).

Misbranding, Section 403 (a), the label statements (all lots) "Each Caplet Contains: * * * Vitamin D * * * 400 U. S. P. Units Thiamine Hydrochloride 2 mg." and (24-bottle and 101-bottle lots) "Each Caplet Contains: * * * Ascorbic Acid 35 mg." were false and misleading as applied to the article since all lots contained less than those amounts of thiamine hydrochloride and vitamin D and since the 24-bottle and 101-bottle lots contained less than the amount of ascorbic acid represented.

DISPOSITION: September 30, 1952. Default decree of condemnation and destruction.

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[1] (19155) Prosecution contested. Contains opinion of the court

F. N. J., F. D. C. 19201–19250 Issued July 1953

U. S. Department of Health, Education, and Welfare

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

19201–19250

FOODS

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare, and include, where indicated, the results of investigations by the Department, prior to the institution of the proceedings. Published by direction of the Secretary of Health, Education, and Welfare.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*
WASHINGTON, D. C., *June 23, 1953.*

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