

23650. Vitamin tablets. (F. D. C. No. 39498. S. No. 47-803 M.)

QUANTITY: 5 1,000-tablet bottles, 57 200-tablet bottles, 12 125-tablet bottles, and 7 75-tablet bottles, at Brooklyn, N. Y.

SHIPPED: 6-5-56, from Newark, N. J., by Lit Sales Co., Inc.

LABEL IN PART: (Btl.) "Organic A-C-E 'Naturals' 1000 [or "200," "125," or "75"] Distributed by Stur-Dee Health Products * * * As a natural food supplement."

RESULTS OF INVESTIGATION: Analysis showed that the article contained about 45 percent of the declared amount of vitamin C.

LIBELED: 10-3-56, E. Dist. N. Y.

CHARGE: 402 (b) (1)—a valuable constituent, vitamin C, had been in part omitted or abstracted from the article when shipped; and 403 (a)—the label statement "6 tablets per day represents the following: * * * Vitamin C 30 Mg. 100% M. D. R." was false and misleading.

DISPOSITION: 11-28-56. Default—destruction.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 23551 TO 23650

PRODUCTS

	N. J. No.		N. J. No.
Angelica root	23639	Devil cake base	23592
Bakery products	23617	Doughnut mix	23593
Baking mixes	23591-23593	sugar mixture	23592
Barley grits	23588	Eggs, frozen	23600, 23601
Beans, carob	23624	Fats. See Oils and fats.	
kidney, dried	23625	Fennel seed	23640
lima, dried	23626-23628	Fish and shellfish	23602-23617
navy, dried	23627	Flavors. See Spices, flavors, and	
pinto, canned	23629	seasoning materials.	
dried	23627	Flour	23551-23569
Boysenberries, canned	23618	Fruits and vegetables	23618-23632
Bran muffin mix	23591	fruit, canned	23618
Brazil nuts, unshelled	23633	dried	23619-23622
Buckwheat flour	23557	fresh	23623
Buttermilk pancake mix	23591	tomatoes	23632
Cake base, devil	23592	vegetables and vegetable prod-	
Candy. See Confectionery.		ucts	23624-23631
Carob beans	23624	Garlic	23641
Cereals and cereal products	23551-	Grits, barley	23588
	23593, 23617, 23628	corn	23589
Ciscoes, dressed, frozen	23602	Haddock fillets, frozen	23605
Cocoa beans	23595	Kibbled carob beans	23624
powder	23594	Kidney beans, dried	23625
Cod fillets, frozen	23603	Lima beans, dried	23626-23628
Coffee-cake mix	23591	Lobster tails, frozen	23611
Confectionery	23596-23598	Macaroni and noodle products	23570,
Corn grits	23589		23571
Cornbread mix	23591	Mixes, baking	23591-23593
Crabcakes, frozen	23617	salad	23646-23648
Currants	23623	Muffin mix, bran	23591
Cusk fillets, frozen	23604	Navy beans, dried	23627

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]

23651-23750

FOODS

The cases reported herewith were instituted in the United States district courts by United States attorneys, acting upon reports submitted by the Department of Health, Education, and Welfare. They involve foods which were adulterated or misbranded within the meaning of the Act when introduced into and while in interstate commerce or while held for sale after shipment in interstate commerce. These cases involve (1) seizure proceedings in which decrees of condemnation were entered by default, by consent, or after hearing; and (2) criminal proceedings which were terminated upon pleas of guilty or nolo contendere. The seizure proceedings are civil actions taken against the *goods* alleged to be in violation; and the criminal proceedings are against the *firms* or *individuals* charged to be responsible for violations.

Published by direction of the Secretary of Health, Education, and Welfare.

GEO. P. LARRICK, *Commissioner of Food and Drugs.*

WASHINGTON, D. C., July 3, 1958.

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**SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F. N. J. NOS. 23651-23750**

Adulteration, Section 402 (a) (1), the article contained an added poisonous substance which may have rendered it injurious to health; Section 402 (a) (2), the article, in three cases, contained an added poisonous or deleterious substance which was unsafe within the meaning of Section 406; and, in one other case, the article was a raw agricultural commodity and contained a pesticide chemical which was unsafe within the meaning of Section 408 (a); Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or it was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (1), a valuable constituent had been in whole or in part omitted or abstracted from the article; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality; Section 406 (a), a poisonous or deleterious substance was added to food when such substance was not required in the production thereof and could have been avoided by good manufacturing practice; Section 408 (a), a poisonous or deleterious pesticide chemical, or a pesticide chemical which is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of pesticide chemicals, as safe for use, had been added to a raw agricultural commodity; and no tolerance or exemption from the requirement of a tolerance for such pesticide in or on the raw agricultural commodity had been prescribed by the Secretary of Health, Education, and Welfare.

Misbranding, Section 403 (a), the labeling of the article was false and misleading; Section 403 (e) (2), the article was in package form, and it failed to bear a label containing an accurate statement of the quantity of contents; Section 403 (g) (1), the article purported to be and was represented as food for which a definition and standard of identity has been prescribed by regulations, and it failed to conform to such definition and standard; Section 403 (i) (2), the article was not subject to the provisions of Section 403 (g) and was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient; Section 403 (k), the article contained a preservative, and it failed to bear labeling stating that fact.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

23651. Cakes and pies. (F. D. C. No. 39378. S. Nos. 40-012 M, 40-015 M, 48-849/50 M, 48-853 M, 59-885 M, 59-889/90 M, 59-893 M.)

INFORMATION FILED: 1-22-57, N. Dist. Ill., against Case-Moody Pie Corp., Chicago, Ill., and James Henderson (executive vice president and general manager).

SHIPPED: Between 11-16-55 and 6-29-56, from Illinois to Indiana and Wisconsin.

LABEL IN PART: (Pkg.) "Danish Coffee Cake Hazelnut [or "Date Nut" or "Pecan"] Net Wt. 10 Oz. [or "16 Oz.]," "Tea Room Quality Gold Layer Net Wt. 15 Oz.," or "Chocolate Whip."