

RESULTS OF INVESTIGATION: The dealer had repacked the Kiddy Kaps Tasti-treat tablets from bulk stock and the Kiddy Kaps Vitamin Treat tablets from the 32,000-tablet drums. The bulk stock and the drums had been shipped as described above. The accompanying labeling was printed locally.

LIBELED: 2-23-62, W. Dist. N.Y.

CHARGE: 403(j)—while held for sale, the articles purported to be and were represented as foods for special dietary use by children, by reason of their vitamin content, and their labels (repacked) failed to bear, as required by regulations (Tastitreat) a statement of the proportion of the minimum daily requirement for vitamin A, vitamin B₁, vitamin C, riboflavin, and niacinamide, supplied by such food when consumed by children in a specified quantity during the period of one day; and (Vitamin Treat— 32- and 18-case lots) the statement "The need for calcium pantothenate in human nutrition has not been established."

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. 7044.

DISPOSITION: 4-5-62. Consent—claimed by Republic Drug Co., Inc., and relabeled.

28491. Hematonic Formula capsules and B complex capsules. (F.D.C. No. 46747. S. Nos. 7-192/3 T.)

QUANTITY: 56 ctnd. btl. of Hematonic Formula capsules and 15 ctnd. btl. of B complex capsules, at Gloucester, Mass.

SHIPPED: Between 11-17-59 and 6-21-60, from Dallas, Tex.

LABEL IN PART: (Ctn. and btl.) "100 Capsules Hematonic Formula An Anti-Anemia Formula Vitamin B₁₂-B₁, Liver Stomach with Intrinsic Factors and Iron * * * Each capsule contains; * * * Folic Acid 1 Mg." and (ctn. and btl.) "100 Capsules High Potency B Complex With Vitamin B-12, Minerals, Liver, Lipotropes and Intrinsic Factors * * * Each Coated Tablet Contains: * * * Folic Acid 0.5 Mg."

LIBELED: 12-1-61, Dist. Mass.

CHARGE: 402(a) (2) (C)—while held for sale, the article contained a food additive, namely, folic acid, which is unsafe within the meaning of 409 since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409.

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. 7012.

DISPOSITION: 1-15-62. Default—destruction.

28492. Saccharin tablets. (F.D.C. No. 47670. S. No. 73-846 T.)

QUANTITY: 1 drum, containing 50,000 1-gr. tablets; 3 drums, each containing 400,000 ¼-gr. tablets, 24 1,000 ½-gr. tablet btl., and 24 1,000 ¼-gr. tablet btl., at Brooklyn, N.Y., in possession of Jamco Co.

SHIPPED: 3-22-62 and 4-17-62, from Newark, N.J., by Certified Aspirin Corp.

LABEL IN PART: (Drum) "1 Grain [or "¼ grain"] Saacharin * * * Certified Aspirin Corp. 25 Prospect Street, Newark, N.J." and (btl.) "Jamco * * * Saccharin ½ Grain [or "¼ Grain"] Jamco Company Distributors—New York, N.Y."