

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, vitamin B₁₂, had been in part omitted or abstracted from the article; and 403(a)—the label statements "Each capsule contains * * * Vitamin B₁₂ (Activity) 2.0 mcg." and "The need in human nutrition has not been established," as applied to calcium pantothenate, were false and misleading.

DISPOSITION: 7-12-65. Consent—destruction.

30589. Vitamin and mineral tablets. (F.D.C. No. 51118. S. Nos. 56-564/67 B.)
QUANTITY: 234 30-tablet btl., and 284 100-tablet btl., at Richmond, Va., in possession of Elars Products, Inc.

SHIPPED: 11-9-62 and 1-23-64, from New York, N.Y.

LABEL IN PART: (Btl.) "Elgyn Vitamins With Minerals 10 Vitamins—11 Minerals * * * for the prevention of multiple vitamin and certain mineral deficiencies Dose: * * * One Elcap daily * * * Dist. by Elars Prod. Inc. Richmond, Va. * * * Each Elcap With Minerals contains * * * folic acid 0.25 mg. * * * Cobalt 0.1 mg. * * * molybdenum 0.2 mg."

RESULTS OF INVESTIGATION: The article was repacked by the dealer from bulk lots shipped as described above.

LIBELED: 3-11-65, E. Dist. Va.

CHARGE: 402(a)(2)(C)—while held for sale, the article contained folic acid, cobalt, and molybdenum, food additives which were unsafe within the meaning of 409, since they, and their use and intended use were not in conformity with a regulation or exemption; 403(a)—the listing and references on the label of cobalt, molybdenum, magnesium, and potassium, represented, suggested, and implied that the nutritional value of the article was enhanced by the presence therein of these ingredients; which representations, suggestions, and implications were false and misleading, since the nutritional value of the article was not enhanced by the inclusion of these ingredients; and 403(a)—the label statement "need in human nutrition not established" as applied to calcium pantothenate, copper, magnesium, manganese, potassium, and zinc, was false and misleading, since the need in human nutrition for these ingredients has been established.

DISPOSITION: 4-12-65. Default—destruction.

30590. Vitamin and mineral tablets. (F.D.C. No. 51489. S. Nos. 55-190 B, 55-199 B.)

QUANTITY: 12 ctns., each containing 12 btl., plus 45 btl. of 100 tablets each, and 1 drum, containing approximately 4,800 tablets, at Silver Spring, Md.

SHIPPED: 8-21-59, from Philadelphia, Pa.

LIBELED: On or about 6-16-65, Dist. Md.

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

DISPOSITION: 7-14-65. Default—destruction.

30591. Dietary food supplements. (F.D.C. No. 51004. S. Nos. 17-585 A, 17-587/8 A.)

QUANTITY: 19 ctns., each containing 24 1,092-tablet pkgs., 1 case containing 8 1-lb. boxes, and 1 case containing 4 3-lb. boxes, at Essex, Conn.

SHIPPED: Between 11-1-61 and 11-30-61, from Beverly Hills, Calif.

LIBELED: On or about 1-29-65, Dist. Conn.

CHARGE: 402(a)(3)—contained mold while held for sale.

DISPOSITION: 6-16-65. Default—destruction.

30592. Multi-vitamin mineral capsules. (F.D.C. No. 51938. S. No. 69-502 B.)

QUANTITY: 19 90-capsule btls. at Providence, R.I.

SHIPPED: 3-23-62, from Mystic, Conn.

LIBELED: 12-9-65, Dist, R.I.

CHARGE: 402(a)(2)(C)—while held for sale, the article contained the food additives, folic acid, vitamin K (Menadione), and vitamin B₁₂ with intrinsic factor concentrate, which were unsafe within the meaning of 409 since they and their use and intended use were not in conformity with a regulation or exemption.

DISPOSITION: 1-11-66. Default—destruction.

MISCELLANEOUS FOODS

30593. Corn husks. (F.D.C. No. 51171. S. No. 20-040 B.)

QUANTITY: 4 bales, each containing approximately 60 lbs., at Bakersfield, Calif.

SHIPPED: In December 1964, from San Antonio, Tex., by I. Garcia.

LABEL IN PART: (Bale wrapper) "Productos Of Mexico Felipe Villarreal Martinez en Hojas de Maiz San Nicolas de Los Garzas N.I."

LIBELED: 4-22-65, S. Dist. Calif.

CHARGE: 402(a)(3)—contained insects and insect excreta when shipped.

DISPOSITION: 5-19-65. Default—destruction.

30594. Corn husks. (F.D.C. No. 51705. S. No. 101-337 B.)

QUANTITY: 19 50-lb. bales at Los Angeles, Calif.

SHIPPED: 10-9-65, from Weimar, Tex., by George Walchar.

LABEL IN PART: (Bale) "Productos of Mexico Felipe Villarreal Martinez San Nicolas de Los Garzas, N.L. Exclusive en Hojas de Maiz de Superior Calidad. Rayon Nte."

LIBELED: 11-2-65, S. Dist. Calif.

CHARGE: 402(a)(3)—contained insects, insect excreta, and insect tunneling when shipped.

DISPOSITION: 11-30-65. Default—destruction.

30595. Corn husks. (F.D.C. No. 51467. S. No. 15-901 B.)

QUANTITY: 5 bales at Los Angeles, Calif.

SHIPPED: 7-6-65, from Weimar, Tex., by George Walchar.

LABEL IN PART: (Tag on burlap wrapper) "From George Walchar Route 3 Weimar, Texas * * * All Corn Shucks Hojas Fumigated."

LIBELED: 8-2-65, S. Dist. Calif.

CHARGE: 402(a)(3)—contained insects and insect-damaged corn husks when shipped.

DISPOSITION: 8-25-65. Default—destruction.