anemia, and faulty elimination, and that it would provide nutritional elements not readily available from ordinary food, whereas the article was not capable of fulfilling the promises stated or implied, and would not provide nutritional elements which could not easily be obtained from ordinary foods.

DISPOSITION: December 14, 1943. No claimant having appeared, judgment of condemnation was entered and the products were ordered destroyed.

7340. Misbranding of calcium pantothenate tablets. U. S. v. 1 Carton of Calcium Pantothenate. Default decree of condemnation and destruction. (F. D. C. No. 13367. Sample No. 71064–F.)

LIBEL FILED: August 25, 1944, District of Oregon.

ALLEGED SHIPMENT: On or about May 5, 1944, by the Freshman Vitamin Co., from Detroit, Mich.

PRODUCT: 1 carton containing 9,900 tablets of calcium pantothenate, at Portland, Oreg.

LABEL, IN PART: (Carton) "Control 2172 10,000 100 Improved 'Calpans' Calcium Pantothenate with Vitamin B_1 Each tablet contains 10 Mgm. (10,000 Micrograms) Calcium Pantothenate 333 USP Units Vitamin B_1."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), (1) the label statements, " * * * may prevent premature graying of the hair if caused by a lack of Calcium Pantothenate, a factor of the Vitamin B Complex," and "Clinical experiments have shown darkening of the hair in some cases, in 1 month's time, others ranged from 3 months to 1 year," were false and misleading since neither calcium pantothenate nor a product of the composition declared on the label would prevent graying of the hair, restore color to, or cause darkening of gray hair; and (2) the following label statement, "Standards * * * for Calcium Pantothenate (a component of Vitamin B Complex) have not been definitely established as yet. Scientific research continues," was misleading in that it failed to reveal the material fact that not even the need for calcium pantothenate in human nutrition has been established; and, Section 403 (j), the article purported to be and was represented as a food for special dietary uses by man by reason of its calcium pantothenate content, and its label failed to bear, as the regulations require, a statement that the need for calcium pantothenate in human nutrition has not been established.

DISPOSITION: October 31, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

7341. Misbranding of calcium pantothenate tablets. U. S. v. 1 Drum, 175 Bottles, 220 Bottles, and 32 Bottles of Calcium Pantothenate Tablets. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 13787. Sample Nos. 75580–F, 75581–F.)

LIBEL FILED: September 12, 1944, Western District of Pennsylvania.

ALLEGED SHIPMENT: On or about May 2, 1944, by Strong, Cobb and Co., from Cleveland, Ohio.

PRODUCT: 1 unlabeled drum containing approximately 55,000 calcium pantothenate tablets, 175 bottles, each containing 100 tablets, 220 bottles, each containing 35 tablets, and 32 bottles, each containing 180 tablets, at Pittsburgh, Pa.

The product, when shipped, was packaged in drums labeled in part as indicated below.

LABEL, IN PART: "Calcium Pantothenate Tablets * * * Recommended Adult Dose: One tablet daily, as a dietary supplement. Minimum daily human requirements have not as yet been established."

VIOLATIONS CHARGED: Misbranding, Section 403 (a), the label statement, "Minimum daily human requirements have not as yet been established," was misleading in that it suggested that the need for the product in human nutrition has been established, although the amount needed daily has not; and, Section 403 (j), the article was represented as a food for special dietary use by reason of its calcium pantothenate content, but its label failed to bear, as required by the regulations, a statement that the need for calcium pantothenate in human nutrition has not been established.

DISPOSITION: September 27, 1944. David B. Shakarian, Pittsburgh, Pa., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond to be relabeled under the supervision of the Food and Drug Administration.