

S100. Misbranding of Mineralized Vitamin Tablets. U. S. v. \$11,000 Vitamin and Mineral Tablets. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 13625. Sample No. 82255-F.)

LIBEL FILED: On or about September 27, 1944, Southern District of New York.

ALLEGED SHIPMENT: Between the approximate dates of June 14 and July 6, 1944, by the Ivers-Lee Co., Newark, N. Y.

PRODUCT: 811,000 vitamin and mineral tablets at Mount Vernon, N. Y.

LABEL, IN PART: "Mineralized Vitamin."

VIOLATIONS CHARGED: Misbranding, Section 403 (j), the product purported to be and was represented as a food for special dietary uses by reason of its vitamin A, B₁, B₂, B₆, C, D, calcium pantothenate, niacinamide, iron, calcium, phosphorus, magnesium, manganese, and zinc content, and its label failed to bear the information concerning its vitamin and mineral properties as has been determined to be and by regulations prescribed as necessary in order fully to inform purchasers as to its value for such uses, since its label failed to bear, as the regulations require, a statement of the proportion of the minimum daily requirements of vitamin A, B₁, B₂, C, D, iron, calcium, and phosphorus, and the amounts of vitamin B₆, calcium pantothenate, niacinamide, magnesium, manganese, and zinc furnished by a specified quantity of the product when consumed during a period of 1 day; and, since the need in human nutrition for vitamin B₆, calcium pantothenate, niacinamide, magnesium, manganese, and zinc has not been established, its label failed to bear, as the regulations require, the statement "the need for vitamin B₆, calcium pantothenate, niacinamide, magnesium, manganese, and zinc in human nutrition has not been established"; and, Section 403 (i) (2), it was fabricated from two or more ingredients and its label failed to bear the common or usual name of each ingredient.

DISPOSITION: November 30, 1944. The Walker Vitamin Products, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the product was ordered released under bond for labeling with the usual package label and reprocessing, under the supervision of the Food and Drug Administration, so that the tablets would disintegrate within the human system within a period of 2 hours or less.

INDEX TO NOTICES OF JUDGMENT F. N. J. NOS. 7926 TO 8100

PRODUCTS

	N. J. No.		N. J. No.
A. D. S. Calcium Pantothenate Tablets	8094	Cake and cookies	7942, 7948-7951, 7953
lets		Candy	7985-7994
Ale. See Beer and ale.		Cereal binder	7979
Alfalfa meal	8021, 8022	Cereals and cereal products	7929-7984
Alimentary pastes	7929-7934	Cheese, blue	8010
Almonds	8062	Cheddar	8011
Apple(s)	8033	Italian type	8012, 8013
chops	8034, 8035	grated	8012
concentrate	8089	Cherries, frozen	8040
Apricots, canned	8036-8039	Chewing gum	8080
B-Iron Vitamin B ₁ Tablets	8092	Chocolate coating	7995
Beans, canned, with pork and tomato sauce	8046	Color for food uses	8081
Beer and ale	7926, 7927	Corn flour	7964
Beir-Nes Tablets	8085	meal	7955-7957
Beverages and beverage materials	7926-7928, 8089, 8097	Crab meat	8028
Bragg Mira-Cal Tablets	8084	Crackers	7951
Bran, wheat	7984	Dairy products	8001-8017
Bread	7935-7949, 7954	Dextrose	7996
enriched	7944	Dog food	8023, 8024
See also Rolls.		Earp Minerals	8095
Brewer Vitamin Capsules	8098	Enriched flour	7975-7978
Brussels sprouts, canned	8047	Fats. See Oils and fats.	
Buffington's Vitonin Vitamin Tonic	8096	Feeds and grains	8018-8024
Butter	8001-8009	Fig paste	8041
		Fish and shellfish	8025-8032
		Flour	7958-7978
		enriched	7975-7978
		Formulated Foods Formula No. 13	8090
		Fruit cocktail, canned	8042

¹ (7926) Prosecution contested. Contains instructions to the jury.

² (8084) Prosecution contested.

³ (8001) Permanent injunction issued. Contains findings of fact and conclusions of law.

⁴ (7995) Seizure contested.

⁵ (8029) Seizure contested. Contains findings of fact and conclusions of law.

	N. J. No.		N. J. No.
Fruits and vegetables	7928, 8033-8061, 8089, 8097	Pyridamide Tablets	8086
fruits and fruit products	7928, 8033-8045, 8089, 8097	Raisins	8045
vegetables	8046-8055	Ravioli dinner	7934
tomatoes and tomato products	8046, 8056-8061	Relish, sweet	8055
Galen vitamin preparations	8088	Rice	7980
Gluten flour	7965	bran	8020
Grains. <i>See</i> Feeds and grains.		Rolls	7943, 7945
Grape juice	8097	Royce's Vitamin A and D Tablets	8084
Green color	8081	Rye meal	7981
Hardtack	7954	Saccharic acid	8082
Jam	8043, 8044	Salad dressing	8078, 8079
Macaroni and spaghetti products	7929-7931	<i>See also</i> Mayonnaise.	
Mackerel, canned	8025	Salmon, canned	8027
salted	8026	Salt rising yeast	8083
Mayonnaise	8074	Self-rising flour	7967-7971
<i>See also</i> Salad dressing.		enriched	7976, 7977
Meat bone scrap	8018	Shellfish. <i>See</i> Fish and shellfish.	
Milk, evaporated	8017	Shrimp, frozen	8031, 8032
nonfat solids	8014-8016	Sirup	7997-8000
Minavit No. 1	8087	Soy flour	7972
Mineralized Vitamin Tablets	8100	Spaghetti. <i>See</i> Macaroni and spaghetti products.	
Mont-O-Ad, Mont-O-Cee, Mont-O-Min, and Mont-O-Plex	8087	Starch	7982, 7983
Mor-Milk for Pigs and Hogs and Mor-Milk for Calves	8019	Strawberry juice	7928
Mushrooms, canned	8048	Sugar. <i>See</i> Dextrose.	
Noodles	7932, 7933	Supplemental Concentrates Formula No. 4	8089, 8090
Nuts and nut products	8062-8073	Tastex (vitamin preparation)	8099
Oils and fats	8074-8079	Thiamin Chloride Solution	8086
Oysters, canned	8029, 8030	Tomato(es)	8057
Pancake and waffle flour	7966	juice	8056
Peanut(s)	8063	puree	8058, 8059
butter	8064-8071	sauce	8060
Peas, canned	8049	soup	8061
frozen	8050	Vegetables. <i>See</i> Fruits and vegetables.	
Pecans	8062, 8072, 8073	Vermicelli. <i>See</i> Macaroni and spaghetti products.	
Phosphated flour	7967, 7968	Vita-Pure B-Complex Vitamins	8091
enriched	7978	Vitamin preparations and foods for special dietary uses	8084-8100
Pies	7952, 7953	Vitiliver	8093
Pomegranate juice	8097	Waffle flour. <i>See</i> Pancake and waffle flour.	
Potatoes	8051-8053	Wheat bran	7984
shoestring, fried	8054	Whole wheat flour	7973, 7974
		Zwieback	7954

SHIPPERS, MANUFACTURERS, AND DISTRIBUTORS

	N. J. No.		N. J. No.
Acme-Evans Co. <i>See</i> Lawrenceburg Roller Mills Division, Acme-Evans Co.		Beebe, A. M., Co.:	
Acme Mills:		canned apricots	8038
phosphated flour and self-rising flour	7967	Beir-Nes Laboratories. <i>See</i> Beirnes, P. W.	
American Beauty Macaroni Co.:		Beirnes, P. W.:	
alimentary paste	7929	Beir-Nes Tablets	8085
American Druggists Syndicate, Inc.:		Blodgett, Frank H., Inc.:	
A. D. S. Calcium Pantothenate Tablets	8094	rye meal	7981
American Roland Food Co.:		Blue Moon Foods, Inc.:	
maple sirup	7999	dry milk solids	8014
Anticich Canning Co.:		Blum's Confectionery:	
canned oysters	8030	candy	7990
Arizona Clinic:		Borden Co.:	
Supplemental Concentrates Formula No. 4	8089	evaporated milk	8017
Armour & Co.:		Bravo Cheese Factory:	
peanut butter	8071	Toscana cheese	8013
Aunt Betty Baking Co.:		Bremco Mills:	
bread	7939	alfalfa meal	8021
Barbara Ann Baking Co., Ltd.:		Brewer & Co., Inc.:	
bread	7940	Brewer Vitamin Capsules	8098
Bates, H. N.:		Brockner Chemical Co.:	
butter	8001	saccharic acid	8082
Beatrice Creamery Co.:		Brownlee Co.:	
butter	8007	peanut butter	8069
Beaty Grocery Co.:		Bucklin, F. E.:	
butter	8004	Mont-O-Min vitamin products, and Minavit No. 1	8087
		Bucklin, F. E., Co. <i>See</i> Bucklin, F. E.	
		Buffington's, Inc.:	
		Buffington's Vitonin Vitamin Tonic	8096
		Butterfield Canning Co.:	
		tomato puree	8058

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