

DISPOSITION: April 23, 1945. A plea of guilty having been entered on behalf of the defendant, the court imposed a fine of \$100 on each count, a total fine of \$200.

8495. Adulteration and misbranding of Vetevac Capsules. U. S. v. 70 Boxes of Vetevac Capsules. Consent decree of condemnation. Product ordered released under bond to be relabeled. (F. D. C. No. 14911. Sample No. 78190-F.)

LIBEL FILED: January 8, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about October 11, 1944, by the Purity Drug Co., from Passaic, N. J.

PRODUCT: 70 boxes, each containing 100 vitamin capsules, at Philadelphia, Pa. Examination of a sample showed that the article was 45 percent deficient in vitamin B₂ (riboflavin).

LABEL, IN PART: (Boxes) "Vetevac Capsules A—B₁—B₂—C—D—G—E with Liver Concentrate and Iron * * * Thyrole Products Co., 800 Walnut Street, Philadelphia, Pa. Distributors."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₂ (riboflavin), had been in part omitted from the article.

Misbranding, Section 403 (a), the label statements, "One capsule from each group once a day will provide the minimum daily adult requirement of Vitamins * * * B₂," and "Vitamin B₂ (G) 2000 mcg. (2.0 mg.)," were false and misleading as applied to the article, which contained less than the stated amount of vitamin B₂; and, Section 403 (f), the information concerning its vitamin properties, required by law to appear on the label, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use, since the information appeared on the bottom of the box.

DISPOSITION: March 22, 1945. The Purity Drug Co., claimant, having consented to the entry of a decree, 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.

8496. Adulteration and misbranding of Multivitamin, Vitamin D Capsules. U. S. v. 50,108 Bottles of Multivitamin Vitamin D Capsules. Decree of condemnation. Product ordered released under bond. (F. D. C. No. 14926. Sample No. 44355-F.)

LIBEL FILED: January 3, 1945, Northern District of California.

ALLEGED SHIPMENT: On or about October 4, 1944, by the American Pharmaceutical Co., Inc., from New York, N. Y.

PRODUCT: 50,108 bottles, each containing 100 vitamin D capsules, at San Francisco, Calif.

LABEL, IN PART: (Bottles) "100 Capsules Vitamins, Multivitamin * * * Vitamin 'D' 200 U. S. P. Units."

VIOLATIONS CHARGED: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement, "Vitamin 'D' 200 U. S. P. Units," was false and misleading since the article contained not more than 140 U. S. P. units of vitamin D per capsule.

DISPOSITION: February 28, 1945. The American Pharmaceutical Co., Inc., having appeared as claimant, judgment of condemnation was entered and the product was ordered released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration.

8497. Adulteration and misbranding of vitamin and mineral capsules. U. S. v. 30 Drums of Vitamin Capsules. Consent decree of condemnation. Product ordered released under bond. (F. D. C. No. 14880. Sample No. 67992-F.)

LIBEL FILED: December 30, 1944, Southern District of Ohio.

ALLEGED SHIPMENT: On or about June 26, 1944, by the Keith-Victor Pharmacal Co., from St. Louis, Mo.

PRODUCT: 30 drums, each containing from 14,000 to 18,000 vitamin and mineral capsules, at Cincinnati, Ohio.

Examination showed that the article was approximately 25 percent deficient in vitamin B₁ and niacin.

LABEL, IN PART: "Sugar Coated Oval Orange Vitamin and Mineral Spheroid Gelatin Capsules."