

fit, in building resistance to infectious disease, in bringing about normal functioning of the nerve tissues and proper assimilation of food, or in helping the formation of strong bones and sound teeth, as was represented and suggested by the statements; nor did the article have the vitamin B₁ and vitamin D potencies claimed in the labeling.

DISPOSITION: November 14, 1945. The Cupples Co. having withdrawn its claim previously filed, judgment of condemnation was entered and the product was ordered destroyed.

9195. Adulteration and misbranding of vitamin tablets. U. S. v. 42 Bottles of Vitamin Tablets. Default decree of condemnation and destruction. (F. D. C. No. 16011. Sample Nos. 14725-H, 17624-H.)

LABEL FILED: May 5, 1945, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about April 5, 1945, by David V. Bush, Fort Wayne, Ind.

PRODUCT: 42 bottles of vitamin tablets at Detroit, Mich. Examination showed that the product contained approximately 1,200 U. S. P. units of vitamin A and approximately 216 U. S. P. units of vitamin C per 2 tablets.

LABEL, IN PART: "Bush's Multi-Vitamin Tablets."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents, vitamins A and C, had been omitted.

Misbranding, Section 403 (a), the label statements, "(Two tablets daily supply the following amounts and proportions to the adult minimum daily requirement amounts.) * * * Vitamin A, 5,000 USP Units (125%) Vitamin C, 600 USP Units (100%)," were false and misleading since the product contained less than the stated amounts of vitamins A and C.

DISPOSITION: June 30, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9196. Misbranding of calcium pantothenate tablets. U. S. v. 48 3/4 Dozen Packages of Calcium Pantothenate Tablets. Default decree of condemnation and destruction. (F. D. C. No. 16070. Sample No. 29366-H.)

LABEL FILED: May 8, 1945, Northern District of California.

ALLEGED SHIPMENT: On or about February 5, 1945, by the American Beauty Products Co., from Chicago, Ill.

PRODUCT: 48 3/4 dozen packages of calcium pantothenate tablets at San Francisco, Calif.

NATURE OF CHARGE: Misbranding, Section 403(a), certain statements in the accompanying catalog entitled "City Catalog No. 81," the display card entitled "Americans Anti-Gray Hair Vitamin," and circulars entitled "American Beauty Vitamins For Beauty From Within," were false and misleading since they represented and suggested that the article would be efficacious to restore the natural hair color and to improve skin conditions, brittle nails, and hair strength, whereas the article would not be efficacious for those purposes.

DISPOSITION: August 11, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

9197. Misbranding of Capab Tablets. U. S. v. 27 Bottles of Capab Tablets, and a number of folders and leaflets. Default decree of condemnation and destruction. (F. D. C. No. 16068. Sample No. 4124-H.)

LABEL FILED: April 27, 1945, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: By the Battle Creek Dietetic Supply Co., from Battle Creek, Mich. The product was shipped on or about March 6 and 12, 1945, and the folders and leaflets were shipped on various unknown dates.

PRODUCT: 14 50-tablet bottles and 13 100-tablet bottles of Capab Tablets, 500 folders entitled "Superb Health," and 150 leaflets entitled "Gray Hair," at Philadelphia, Pa.

Examination showed that the tablets contained, chiefly, yeast, thiamine chloride, and a calcium salt.

LABEL, IN PART: "Health House Capab."

NATURE OF CHARGE: Misbranding, Section 403(a), certain statements on the label and in the folders and leaflets were false and misleading since they represented and suggested that the article would be effective to restore the original color to gray hair, whereas it would not be effective for that purpose.