

The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: November 16, 1950. The Meer Corp., New York, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law by fumigating, cutting, and sifting, to eliminate and destroy the objectionable portion, under the supervision of the Food and Drug Administration. The reconditioning operations resulted in the salvage and release of 10,320 pounds of the product and in the denaturing of 188 pounds.

16996. Adulteration of poppy and sesame seeds. U. S. v. 8 Bags, etc. (F. D. C. No. 29961. Sample Nos. 85514-K, 85515-K.)

LIBEL FILED: October 27, 1950, District of Minnesota.

ALLEGED SHIPMENT: On or about October 10, 1949, and August 1, 1950, from New York, N. Y.

PRODUCT: 8 bags, each containing 110 pounds, of poppy seeds, and 3 bags, each containing 190 pounds, of sesame seeds at Minneapolis, Minn.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insects. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 28, 1950. Default decree of condemnation. The court ordered that the products be destroyed unless disposed of as animal feed, under the supervision of the Food and Drug Administration.

16997. Adulteration of sweet mustard pickle spread. U. S. v. 76 Cases, etc. (F. D. C. No. 29946. Sample No. 70753-K.)

LIBEL FILED: On or about November 2, 1950, District of Kansas.

ALLEGED SHIPMENT: On or about June 16, 1948, from Kansas City, Mo.

PRODUCT: Sweet mustard pickle spread. 76 cases, each containing 24 8-ounce jars, and 3 cases, each containing 24 12-ounce jars, at Kansas City, Kans.

Examination showed that the jar caps were corroded and that the product had an abnormal color and a disagreeable metallic taste.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product was unfit for food by reason of its abnormal color and disagreeable metallic taste. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 17, 1951. Default decree of condemnation and destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

16998. Adulteration and misbranding of vitamin tablets. U. S. v. 64 Boxes, etc. (F. D. C. No. 29918. Sample Nos. 90001-K, 90002-K.)

LIBEL FILED: On or about October 10, 1950, Western District of Missouri.

ALLEGED SHIPMENT: On or about June 23 and August 2, 1950, from Burbank, Calif.

PRODUCT: 168 boxes of vitamin tablets at Kansas City, Mo. 64 boxes were labeled "No. 1," and 104 boxes were labeled "No. 2." Each box contained 2 186-tablet bottles of the products, which contained less than the labeled amounts of vitamin C.

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin C, had been in whole or in part omitted or abstracted from the products.

Misbranding, Section 403 (a), the label statements ("No. 1") "12 Tablets Daily - Provides - Vitamin C 150 Mg. - 5 Times MDR - " and ("No. 2") "12 Tablets Daily - Provides - Vitamin C 100 Mg. - $3\frac{1}{3}$ Times MDR - " were false and misleading as applied to products containing less than these amounts of vitamin C.

The products were examined while they were held for sale after shipment in interstate commerce and were found to be deficient in vitamin C.

DISPOSITION: January 11, 1951. Default decree of condemnation and destruction.

16999. Misbranding of vitamin tablets. U. S. v. 197 Bottles * * *. (F. D. C. No. 29736. Sample No. 13745-K.)

LIBEL FILED: September 18, 1950, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 18, 1950, from Buffalo, N. Y.

PRODUCT: 197 bottles, each containing approximately 80 tablets, of vitamins A & D with dicalcium phosphate at Chambersburg, Pa., in possession of H. Weber & Co.

RESULTS OF INVESTIGATION: This product was shipped in 5,000-tablet bottles. It was repackaged and labeled by the consignee, H. Weber & Co., Chambersburg, Pa.

LABEL, IN PART: (Bottle) "Vitamin A & D With Dicalcium Phosphate Vitamin A 3140 U.S.P. Units Viosterol 314 U.S.P. Units Dicalcium Phosphate 1 gr. One Tablet Taken Daily contains approximately the minimum daily requirement of Vitamin A & D. The equivalent of one teaspoonful Cod Liver Oil U.S.P. strength. Builds resistance to colds and disease Distributed by H. Weber & Co., Chambersburg, Pa."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statements "One Tablet Taken Daily contains approximately the minimum daily requirement of Vitamin A & D" and "Viosterol 314 U. S. P. Units * * * The equivalent of one teaspoonful Cod Liver Oil U. S. P. strength" were false and misleading since there is no U. S. P. unit for viosterol, and 1 tablet of the product was not the equivalent of one teaspoonful of cod liver oil U. S. P. strength and contained only approximately three-fourths of the minimum daily requirement for vitamins A & D; Section 403 (e) (2), the label failed to bear a statement of the quantity of the contents; and, Section 403 (j), the product was represented as a food for special dietary uses by reason of its vitamin and mineral content with respect to vitamins A & D, and its label failed to bear, as required by the regulations, a statement of the proportion of the minimum daily requirement for vitamins A & D which would be supplied by the product.

The product was misbranded while held for sale after shipment in interstate commerce. The product was charged also to be misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3335.