

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

18847. Adulteration and misbranding of vitamin A and D tablets. U. S. v. Midwest Chemical Development Corp. Plea of nolo contendere. Fine, \$400. (F. D. C. No. 31581. Sample Nos. 24149-L, 24442-L.)

INFORMATION FILED: February 7, 1952, Northern District of Ohio, against the Midwest Chemical Development Corp., Cleveland, Ohio.

ALLEGED SHIPMENT: On or about March 8 and April 12, 1951, from the State of Ohio into the State of New York.

LABEL, IN PART: "Natural Vitamin A & D Tablets Food Supplement Distributed by Sturdee Health Foods * * * Brooklyn, N. Y."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), valuable constituents of the article, namely, vitamins A and D, had been in part omitted and abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each tablet contains: Vitamin A 5,000 USP Units Vitamin D 1,000 USP Units" was false and misleading since the article contained less than 5,000 U. S. P. units of vitamin A and less than 1,000 U. S. P. units of vitamin D.

The information alleged also that two other articles, known as allyl-isopropyl barbiturate sodium capsules and Hemotene tablets, were adulterated and misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 3804.

DISPOSITION: June 27, 1952. A plea of nolo contendere having been entered, the court imposed a fine of \$400.

18848. Adulteration and misbranding of vitamin lollipops. U. S. v. 114 Packages * * *. (F. D. C. No. 31968. Sample No. 25750-L.)

LIBEL FILED: November 1, 1951, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 17, 1951, by the Sternfeld Pharmacal Corp., from Albany, N. Y.

PRODUCT: 114 packages of vitamin lollipops at Philadelphia, Pa.

LABEL, IN PART: "Vitamin Lollipops Contents 8 Lollipops Each. Vitamin Lollipop contains * * * Vitamin B₁, 0.33 mg."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, vitamin B₁, had been in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Each Vitamin Lollipop contains * * * Vitamin B₁, 0.33 mg." was false and misleading since the product contained less than 0.33 mg. of vitamin B₁. Further misbranding, Section 403 (a), the label statements "The above is as recommended by the National Research Council for the average child between ages of 1 to 12 * * * Children will like this lollipop way to get their vitamins every day" were false and misleading since the National Research Council does not recommend the use of this lollipop to supply vitamins to children and since the article did not supply all the essential vitamins.

DISPOSITION: January 23, 1952. Default decree of condemnation. The court ordered that the product be delivered to a charitable cause.

*See also No. 18803.