

CHARGE: 402(a)(3)—contained insects, insect fragments, and rodent hairs when shipped.

DISPOSITION: 6-12-58. Default—destruction.

24843. Chicken breasts. (F.D.C. No. 38140. S. Nos. 11-869/70 M.)

INFORMATION FILED: 3-27-56, Dist. Del., against Harry Friedman and Samuel Kornblum, Wilmington, Del.

SHIPPED: 2-10-55, from Delaware to New Jersey.

LABEL IN PART: (Crate) "5/10 Breasts."

CHARGE: 402(a)(3)—contained fecal matter, crop material, and other extraneous matter when shipped; 402(a)(5)—contained diseased poultry.

PLEA: Guilty.

DISPOSITION: 4-17-57. Friedman—\$100 fine, and probation for 1 year. Kornblum—\$100 fine, and probation for 3 years.

24844. Dressed poultry. (F.D.C. No. 41474. S. Nos. 30-041/2 P.)

QUANTITY: 29 crates, 1,670 lbs. total, at the Bronx, N.Y.

SHIPPED: 3-14-57 and 12-24-57, from Frankford, Del.

LBELED: 3-21-58, S. Dist. N.Y.

CHARGE: 402(a)(3)—contained decomposed chickens while held for sale.

DISPOSITION: 5-27-58. Default—destruction.

24845. Dressed turkeys. (F.D.C. No. 41291. S. No. 62-641 M.)

QUANTITY: 3 crates, 218 lbs. total, at New York, N.Y.

SHIPPED: 11-23-57, from Herndon, Pa.

LBELED: 1-21-58, S. Dist. N.Y.

CHARGE: 402(a)(3)—contained fecal material and feathers, and torn and bruised birds while held for sale.

DISPOSITION: 2-19-58. Default—destruction.

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE

24846. Extramal No. 2. (F.D.C. No. 40435. S. Nos. 37-869 M, 43-640 M.)

INFORMATION FILED: 10-31-57, N. Dist. Ohio, against Marlo Products Co., a corporation, Cleveland, Ohio.

SHIPPED: Between 1-17-56 and 11-23-56, from Ohio to Pennsylvania and Missouri.

LABEL IN PART: (Ctn. and btl.) "Marlo Extramal No. 2 Malt Extract with Glycerinated extract of Red Bone Marrow Vitamins A, B1, D and Iron Each Fluid Ounce Contains: Vitamin A 3300 U.S.P. Units (From Fish Liver Oil) 1¼ Pounds Net Weight One Pint Marlo Products Company Cleveland, Ohio."

RESULTS OF INVESTIGATION: Analyses disclosed that the article was from 44 percent to 49 percent deficient in vitamin A. In addition, the vitamin A was not derived from fish liver oil; and, in the case of a portion, the article was 28 percent short in quantity of contents.

CHARGE: 402(b)(1)—when shipped, vitamin A had been in part omitted from the article; 403(a)—the statement on the label "Each Fluid Ounce Contains;

Vitamin A 3300 U.S.P. Units (From Fish Liver Oil)" was false and misleading; and 403(e) (2)—the article failed to bear a label containing an accurate statement of the quantity of contents.

PLEA: Guilty.

DISPOSITION: 1-15-58. \$200 fine.

24847. Vitamin tablets. (F.D.C. No. 41617. S. No. 83-355 M.)

QUANTITY: 1 5,000-tablet drum at Toledo, Ohio.

SHIPPED: 1-18-56, from St. Louis, Mo.

LIBELED: 3-10-58, N. Dist. Ohio.

CHARGE: 402(b) (1)—a valuable constituent, vitamin D, had been in part omitted or abstracted from the article while held for sale; and 403(a)—the label statement which represented that each 3 tablets contained "Vitamin D * * * 8 USP" was false and misleading.

DISPOSITION: 4-23-58. Default—destruction.

24848. Vitamin B Complex capsules. (F.D.C. No. 41661. S. No. 8-303 P.)

QUANTITY: 1 bulk container, containing 2 2,500-capsule bags, 4 1,000-capsule btl., and 1 1,500-capsule btl. at Rochester, N.Y.

SHIPPED: 1-20-55, from Cleveland, Ohio.

LABEL IN PART: (Bag) "Vitamin B Complex Capsules * * * Per Capsule: Vitamin B1 (Thiamine Chloride) 3 Mg."; (btl.) "Capsules * * * Thiamine Chloride 3 Mgm."

RESULTS OF INVESTIGATION: The article was shipped in bulk and, upon arrival at Rochester, N.Y., a portion was repackaged by the consignee into bottles labeled as described above. Examination showed the article contained less than the declared amount of vitamin B₁.

LIBELED: 4-10-58, W. Dist. N.Y.

CHARGE: 402(b) (1)—a valuable constituent, namely, vitamin B₁ had been in part omitted or abstracted from the article while held for sale; and 403(a)—the label statement "Thiamine Chloride 3 Mg." was false and misleading.

DISPOSITION: 5-20-58. Default—destruction.

24849. Hadacol. (F.D.C. No. 41230. S. No. 65-614 M.)

QUANTITY: 1,002 8-oz. btl. at Marietta, Ohio.

SHIPPED: On an unknown date, from Lafayette, La.

LIBELED: 12-13-57, S. Dist. Ohio.

CHARGE: 402(b) (1)—a valuable constituent, vitamin B₁, had been in part omitted or abstracted from the article while held for sale; and 403(a)—the label statement "Contains the Vitamin B₁ * * * 6 Mg." was false and misleading as applied to the article which contained less than the stated amount of vitamin B₁.

DISPOSITION: 1-31-58. Default—destruction.

24850. Choc-Ola chocolate drink. (F.D.C. No. 41611. S. No. 15-482 P.)

QUANTITY: 479 cases, 35 6-oz. btl. each, at Reading, Ohio.

SHIPPED: 1-13-58, from Indianapolis, Ind., by Choc-Ola Bottlers, Inc.

LABEL IN PART: (Btl. cap) "Choc-Ola The Chocolate Flavored Vitamin Drink with 315 Units Vitamin A 75 Units Vitamin D Added."