

"Vitamin B₁ * * * 2.5 Mg." was false and misleading, as applied to an article which contained less than the declared amount of vitamin B₁.

DISPOSITION: 4-10-61. Default—destruction.

29592. SDA food supplement capsules. (F.D.C. No. 48268. S. No. 5-218 T.)

QUANTITY: 7 ctns., each containing 28 boxes containing 42 2-capsule envelopes each; and 1 ctn. containing 16 boxes containing 42 2-capsule envelopes; at Baltimore, Md., in possession of Nutrodynamics, Inc.

SHIPPED: 5-24-62 and 5-25-62, from Newark, N.J., by Ivers-Lee Co.

LABEL IN PART: (Envelope) "SDA Food Supplement for dietary type of reduction * * * Nutrodynamics, Inc. * * * Miami 37, Florida * * * a low caloric food supplement."

RESULTS OF INVESTIGATION: The article was packaged in a highly reflective, gold-colored foil envelope on which the manufacturer's address was printed in small type in white ink and was difficult to read, and the statement of ingredients and dietary information was printed in small type in ink of a color which did not contrast adequately with the background.

LIBELED: 11-6-62, Dist. Md.

CHARGE: 403(e)(2)—when shipped and while held for sale, the article failed to bear a label containing an accurate statement of the quantity of the contents, since the quantity of contents was not stated on the label; 403(f)—the information required to appear on the label under 403(i)(2) and 403(j), namely, the statement of ingredients, and the special dietary information to inform purchasers of its value for such use, was not prominently placed thereon with such conspicuousness (as compared with other words and statements on the label) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs, as reported in notices of judgment on drugs and devices, No. 7771.

DISPOSITION: 4-10-63. Default—destruction.

29593. Multiple vitamin tablets. (F.D.C. No. 49341. S. No. 56-653 V.)

QUANTITY: 1,584 100-tablet btls., and 720 50-tablet btls., at Needham Heights, Mass.

SHIPPED: Between 10-23-61 and 11-16-61, from Long Island City, N.Y.

RESULTS OF INVESTIGATION: Analysis showed that the article contained less than 67 percent of the declared amount (3 mg. per tablet) of vitamin B₁.

LIBELED: 9-13-63, Dist. Mass.

CHARGE: 402(b)(1)—while held for sale, the valuable constituent, namely, vitamin B₁, had been in part omitted or abstracted from the article; and 403(a)—the label statement "Each Tablet Supplies * * * Vitamin B₁ * * * 3 mg." was false and misleading as applied to a product containing less than the declared amount of vitamin B₁.

DISPOSITION: 11-14-63. Default—ordered destroyed, or delivered to a public or charitable institution with a statement that the article contained less than the declared amount of vitamin B₁.

29594. Multiple vitamin tablets. (F.D.C. No. 49502. S. No. 6-069 X.)

QUANTITY: 36 cases, each containing 36 100-tablet btls., at Providence, R.I.