The articles were also alleged to be misbranded under the provisions of the law applicable to foods, as reported in the notices of judgment on foods.

On February 11, 1944, A. Magnano & Sons, Seattle, Wash., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the products were ordered released under bond to be brought into compliance with the law.

1282. Misbranding of Ivita High Potency Capsules, B Family Tablets, and Staf-Tabs Calcium and Phosphorus Tablets. U. S. v. 5 Packages of Ivita High Potency Capsules, 77 Packages of B Family Tablets, and 46 Packages of StafTabs Calcium and Phosphorus Tablets. Default decrees of condemnation and destruction. (F. D. C. No. 11631. Sample Nos. 38678–F, 38681–F, 38683–F.)

On January 26, 1944, the United States attorney for the Northern District of Illinois filed libels against the above-named products at Chicago, Ill., alleging that they had been shipped between the approximate dates of October 8, 1943, and January 10, 1944, by Modern Products, Inc., from Milwaukee, Wis.; and charging that they were misbranded.

Analysis of the Ivita High Potency Capsules showed that they contained vitamin A. The article was alleged to be misbranded because of false and misleading statements in an accompanying circular entitled "Vitamin A," which represented and implied that the administration of vitamin A would be effective in overcoming flash-blindness during night driving, and in the prevention of infections of the body.

Examination of the B Family Tablets showed that the article contained yeast, thiamine, and riboflavin. It was alleged to be misbranded because of false and misleading statements in the accompanying circulars entitled "Your Diet and Your Nerves," and "Laugh at Your Former Self," which represented and implied that the article would be effective in the prevention or cure of nerve upset, intestinal disorders, pellagra and associated symptoms, gray hair, "that tired feeling," lack of appetite, mental depression, muscular cramps and aches, unhealthy skin, eyes, and hair, nervousness, bickering, irritability, "the jitters," aches and pains, lack of energy in children, skin disease in chicks, loss of weight in pigeons, lack of growth in rats, and nervous disease and disturbances of the alimentary tract in rats. The article would not be efficacious for such purposes.

Examination of the StafTabs showed that the article consisted essentially of calcium, phosphorus, vitamin D, sugars, salt, and a mint flavor. The article was alleged to be misbranded in that certain statements in an accompanying circular entitled "Calcium in Human Nutrition" were false and misleading since they represented and implied that calcium would be efficacious to bring about a strong and true heartbeat, preserve the muscular strength of the body, protect the nerves from irritation, aid clot formation of blood, and promote growth, whereas calcium would not be efficacious for such purposes.

The articles were also alleged to be misbranded under the provisions of the law applicable to foods, as reported in the notices of judgment on foods.

On March 9, 1944, no claimant having appeared, judgments of condemnation were entered and the products were ordered destroyed.

1283. Misbranding of Vita-Pure B-Complex Vitamins. U. S. v. 672 Cartons of Vita-Pure B-Complex Vitamins. Default decree of forfeiture and destruction. (F. D. C. No. 11737. Sample No. 47858–F.)

On February 3, 1944, the United States attorney for the Western District of Arkansas filed a libel against 672 cartons, each containing 10 tablets, of the above-named article at El Dorado, Ark., alleging that the article had been shipped on or about March 29, 1943, from Oklahoma City, Okla., by the Roisman Products Co.; and charging that it was misbranded.

Examination disclosed that the article contained 358 micrograms of riboflavin and not more than 166 U. S. P. units of thiamine chloride (B_1) per tablet.

The article was alleged to be misbranded because of false and misleading statements appearing in its labeling which represented and suggested that it would be efficacious to help one keep feeling fit; and that it would be efficacious in the prevention and correction of nervousness, loss of appetite, skin disorders, weakness, neuritis, constipation, fatigue, faulty memory, mental depression, and nutritional anemia.

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

On April 17, 1944, no claimant having appeared, judgment of forfeiture was entered and the product was ordered destroyed.