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

DISPOSITION: February 2, 1949. Default decree of condemnation. The circulars were ordered destroyed, and the product was ordered delivered to a charitable institution.

2786. Misbranding of vitamin E capsules. U. S. v. 111 Bottles * * *. (F. D. C. No. 26157. Sample No. 51226–K.)

LIBEL FILED: December 22, 1948, Southern District of Ohio.

ALLEGED SHIPMENT: On or about November 19, 1948, from Detroit, Mich.

PRODUCT: 111 bottles, each containing 100 capsules, of *vitamin E* at Cincinnati, Ohio, in the possession of the Cincinnati Vitamin Co. A number of circulars entitled "Vitamin E and Heart Disease," which had been prepared by the consignee and printed locally, were on the counter in close proximity to the product. Examination indicated that the product had the composition stated on its label.

LABEL, IN PART: "100 Gelatin Capsules No. 153 Vitamin E Each Capsule Contains 30 mg. Alpha Tocopherol."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circulars were false and misleading since they represented and suggested that the article was effective to prevent and cure heart disease, whereas the article was not effective for such purpose. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: February 23, 1949. Default decree of condemnation and destruction.

2787. Misbranding of Burnett's Radio-Active Emanator. U. S. v. 4 Devices * * *. (F. D. C. No. 23731. Sample No. 76470–H.)

LIBEL FILED: On or about October 8, 1947, Southern District of Texas.

ALLEGED SHIPMENT: On or about July 11 and 30 and August 14, 1947, by W. H. Burnett, from Fordyce, Ark.

PRODUCT: 4 unlabeled devices at Monroe City, Tex. Examination showed that the device consisted of a molded concrete block containing a trace of radioactive material.

NATURE OF CHARGE: Misbranding, Section 502, the device was represented as "Burnett's Radio-Active Emanator," whereas it contained only a trace of radioactive material, which was too little to be of any therapeutic significance.

DISPOSITION: December 19, 1947. Default decree of condemnation and destruction.

DRUGS FOR VETERINARY USE

2788. Adulteration and misbranding of Fox No. 1 Mineral Feed and misbranding of Poultrate, Vetrone, and Fox Triumph Swine Liquid. U. S. v. Foxbilt, Inc., and E. Frank Fox. Pleas of guilty. Fine of $325 against each defendant, plus costs. (F. D. C. No. 25602. Sample Nos. 25384–K, 25385–K, 25387–K, 25389–K.)

INFORMATION FILED: February 24, 1949, Southern District of Iowa, against Foxbilt, Inc., Des Moines, Iowa, and E. Frank Fox, president of the corporation.