DISPOSITION: January 21, 1954. Default decree of condemnation and destruction.

4269. Adulteration and misbranding of Hemate Formula tablets. U. S. v. 32 Bottles, etc. (F. D. C. No. 35422. Sample No. 39988–L.)

LIBEL FILED: October 6, 1953, District of Arizona.

ALLEGED SHIPMENT: On or about April 17, May 15, June 11, and July 10, 1953, by Hemate Products, from New York, N. Y.

PRODUCT: 32 120-tablet bottles and 31 30-tablet bottles of *Hemate Formula tablets* at Phoenix, Ariz. Examination of the article showed deficiencies in vitamin B_1 ranging from 32 percent to 43 percent and deficiencies in vitamin C ranging from 78 percent to 89 percent.

LABEL, IN PART: (Bottle) "The Hemate Formula Three tablets (Daily Dose) contain: Vitamin B_1 (Thiamine Hydrochloride) . . . . 15 Mg. * * * Vitamin C (Ascorbic Acid) . . . . 150 Mg. * * * Three Hemate Formula Tablets provide 15 times the minimum adult daily requirement (MADR) of Vitamin B_1; 5 times the MADR of Vitamin C."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 15 milligrams of vitamin B_1 and 150 milligrams of vitamin C per three tablets.

Misbranding, Section 502 (a), the label statement "Three tablets * * * contain: Vitamin B_1 * * * 15 Mg. * * * Vitamin C * * * 150 Mg." was false and misleading as applied to the article, which contained less than 15 milligrams of vitamin B_1 and less than 150 milligrams of vitamin C per three tablets.

DISPOSITION: December 3, 1953. Default decree of condemnation and destruction.

4270. Adulteration and misbranding of a vitamin preparation. U. S. v. 140 Bottles * * *. (F. D. C. No. 36109. Sample No. 73607–L.)

LIBEL FILED: November 12, 1953, District of New Jersey.

ALLEGED SHIPMENT: On or about June 25, 1953, from Philadelphia, Pa.

PRODUCT: 140 bottles of a *vitamin preparation* at Trenton, N. J. Analysis showed that the product contained 20 percent of the declared amount of vitamin A and approximately 50 percent of the declared amount of vitamin D.

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it purported and was represented to possess, namely, 5,000 U. S. P. units of vitamin A and 1,000 U. S. P. units of vitamin D per 4 tablespoonfuls.

Misbranding, Section 502 (a), the label statement "Daily Recommended Dose Will Afford: Vitamin A (1 M. D. R.) . . . . 5,000 U. S. P. Units Vitamin D (2½ M. D. R.) . . . . 1,000 U. S. P. Units" was false and misleading as applied to the article, which contained less than the declared amounts of vitamin A and vitamin D.

The article was adulterated and misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: December 11, 1953. Default decree of condemnation and destruction.