possess. It was alleged to be misbranded in that the following statements on the label, "Each Capsule Contains Not Less Than * * * Vitamin D 1,000 units * * * Vitamin Concentrate Capsules containing vitamins * * * G ($B_2$)," were false and misleading when applied to an article containing less than 1,000 units of vitamin D and an inconsequential amount of riboflavin (vitamin G or $B_2$).

The article was also alleged to be adulterated and misbranded under the provisions of the law applicable to foods, as reported in F. N. J. No. 3642.

On November 25, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**628. Adulteration of vitamin B complex capsules. U. S. v. 25,000 Capsules of Vitamin B Complex Improved. Default decree of condemnation and destruction.** (F. D. C. No. 6039. Sample No. 53411–E.)

Examination of this product showed that it contained not more than 200 U. S. P. (International) units of vitamin $B_1$ per capsule, whereas it was represented as containing 333 International Units of vitamin $B_1$ per capsule.

On October 20, 1941, the United States attorney for the Southern District of California filed a libel against 25,000 capsules of vitamin B complex at Los Angeles, Calif., alleging that the article had been shipped in interstate commerce on or about May 15, 1941, by Miller Laboratories from Cleveland, Ohio; and charging that it was adulterated in that its strength differed from and its quality fell below that which it was represented to possess. The article was invoiced as "Vitamin B complex Improved, $B_1$—333 Units Int."

On December 30, 1941, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**629. Adulteration and misbranding of Vitagen. U. S. v. 21 Cases of Vitagen. Default decree of condemnation. Product ordered distributed to various charitable institutions.** (F. D. C. No. 5683. Sample No. 65595–E.

This product was approximately 70 percent deficient in vitamin A and approximately 50 percent deficient in vitamin C.

On September 12, 1941, the United States attorney for the District of Colorado filed a libel against 21 cases of Vitagen at Denver, Colo., which originally had been consigned by College Laboratories, Inc., from Denver, Colo., to Seattle, Wash., and had been returned alleging that the article had been shipped in interstate commerce on or about April 22, 1941, from Seattle, Wash.; and charging that it was adulterated and misbranded.

The article was alleged to be adulterated in that valuable constituents, namely, vitamins A and C, had been wholly or in part omitted or abstracted therefrom. It was alleged to be misbranded in that the statements, "two teaspoons of Vitagen contains approximately: 2810 international units of A, 450 units of C," were false and misleading when applied to an article of lower vitamin content.

On November 14, 1941, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be distributed to various charitable institutions.

## DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS IN THE LABELING

**630. Misbranding of Zalco-Septic. U. S. v. Sylvia Zalk (Zalco Co.). Plea of guilty. Fine, $20.** (F. D. C. No. 4143. Sample Nos. 8286–E, 75133–D.)

This product did not possess the antiseptic properties claimed for it.

On July 28, 1941, the United States attorney for the District of Minnesota filed an information against Sylvia Zalk, trading as the Zalco Co. at St. Paul, Minn., alleging shipment on or about February 1 and September 25, 1940, from the State of Minnesota into the State of North Dakota, of quantities of Zalco-Septic that was misbranded. The article was labeled in part: "Zalco-Septic (Antiseptic Solution)."

Analysis showed that the article consisted essentially of water, alcohol, and small proportions of menthol, eucalyptol, thymol, methyl salicylate, and boric acid. Bacteriological examination showed that it was not antiseptic.

The article was alleged to be misbranded in that the statements, "Zalco-Septic (Antiseptic Solution) * * * Nasal Douche: Add one part of Zalco-Septic to 4 or 5 parts of warm water * * * Feminine Hygiene: Add 1 part of Zalco-Septic to 10 parts of warm water," borne on the bottle label, were false and misleading since they represented that when used in the dilutions recom-