in violation of Section 502 (f) (1), since the bottle bore no labeling containing directions for use.

On or about September 30, 1948, the defendant caused a number of tablets to be removed from the bottle in which the tablets had been shipped in interstate commerce, to be repacked into a box, and to be sold without a prescription. The acts of the defendant resulted in the article being misbranded in violation of Section 502 (a), in that the statement "Desoxyn 2 gr.," displayed upon the box into which the tablets had been repacked, was false and misleading since each tablet of the article contained less than 2 grains of Desoxyn; Section 502 (b) (1), the box of tablets bore no label containing a statement of the quantity of the contents; Section 502 (f) (1), the box of tablets bore no labeling containing directions for use; and, Section 502 (f) (2), the box of tablets bore no labeling containing warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: April 4, 1950. A plea of quality having been entered, the court imposed a fine of $300, plus costs.

3103. Misbranding of Sedco. U. S. v. 282 Bottles * * *. (F. D. C. No. 28710. Sample No. 47648–K.)

LIBEL FILED: February 7, 1950, Eastern District of Virginia.

ALLEGED SHIPMENT: On or about September 20, 1949, by the Hance Bros. & White Co., from Philadelphia, Pa.

PRODUCT: 282 1-pint bottles of *Sedco* at Norfolk, Va.

LABEL, IN PART: (Bottle) "One Pint Sedco Alcohol 5% Each Fluid Ounce Contains Sod. Pentabarbital ½ gr. May be Habit Forming Phenobarbital ½ gr. May be Habit Forming Ephedrine Sulphate 1 gr. tr Euphorbia 120 m Menthol 2/25 gr. Syr. Squill Compound 21 m Syr. Wild Lettuce 120 m Tr Cocillana 40 m."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since the label statement "Dose: As directed by the physician" failed to reveal the quantity of the dose and the frequency of administration.

Further misbranding, Section 502 (d), the article was a drug for use by man and contained derivatives of barbituric acid, namely, sodium pentobarbital and phenobarbital, which derivatives had been by the Federal Security Administrator, after investigation, found to be, and by regulations designated as, habit forming; and its label failed to bear the names, and quantities or proportions of all such substances and derivatives and the statement "Warning—May be habit forming" immediately following (without intervening written, printed, or graphic matter) the name by which the drug was titled in the part or panel of the label presented or displayed under customary conditions of purchase. The statement "Alcohol 5%" intervened between the name of the drug and the names of the habit-forming ingredients, and the prescribed statement was not in the form required by the law and regulations.

DISPOSITION: March 9, 1950. Coastal Pharmaceutical Co., Inc., Norfolk, Va., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.