

25, 1949; and defendant Turnbow caused a quantity of *thyroid tablets* to be repacked and sold without a prescription on or about September 26, 1949. It was alleged also that such acts of the defendants resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing statements of the quantity of the contents; Section 502 (f) (1), the labeling of the repackaged drugs bore no directions for use; and, Section 502 (f) (2), the labeling of the repackaged *sulfadiazine tablets* bore no 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: October 23, 1950. Pleas of nolo contendere having been entered on behalf of the defendants, the court imposed fines of \$100 against defendant Wilson, \$100 against defendant Kolb, and \$50 against defendant Turnbow.

3283. Misbranding of Seconal Sodium capsules and Benzedrine Sulfate tablets. U. S. v. Stephen E. Piotrowski (Stephen E. Piotrowski Pharmacy). Plea of guilty. Fine, \$300. (F. D. C. No. 29454. Sample Nos. 60660-K to 60664-K, incl.)

INFORMATION FILED: September 11, 1950, Eastern District of Wisconsin, against Stephen E. Piotrowski, trading as the Stephen E. Piotrowski Pharmacy, Milwaukee, Wis.

INTERSTATE SHIPMENT: From the States of Indiana and Pennsylvania, into the State of Wisconsin, of quantities of *Seconal Sodium capsules* and *Benzedrine Sulfate tablets*.

ALLEGED VIOLATION: On or about September 28 and 30 and October 1, 13, and 18, 1949, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused a number of the capsules and tablets to be repacked and sold without a prescription, which acts of the defendant resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and a statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs bore no directions for use.

Further misbranding, Section 502 (d), the *Seconal Sodium capsules* contained a chemical derivative of barbituric acid, which derivative, the Federal Security Administrator, after investigation, has found to be, and by regulations designated as, habit forming; and the label of the repackaged capsules failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (1), a portion of the repackaged *Benzedrine Sulfate tablets* failed to bear a label containing the common or usual name of the drug.

DISPOSITION: November 27, 1950. A plea of guilty having been entered, the court imposed a fine of \$300.

3284. Misbranding of Seconal Sodium capsules. U. S. v. Edwin E. Wiegand. Plea of nolo contendere. Fine of \$1,000 on count 1; sentence suspended on remaining three counts of information and defendant placed on probation for 1 year. (F. D. C. No. 29450. Sample Nos. 41977-K, 41978-K, 59949-K, 59957-K.)

INFORMATION FILED: September 6, 1950, Eastern District of Wisconsin, against Edwin E. Wiegand, Milwaukee, Wis.

ALLEGED VIOLATION: The defendant, on or about March 17 and 21, 1950, caused the introduction into interstate commerce at Milwaukee, Wis., for delivery to Chicago, Ill., of quantities of *Seconal Sodium capsules* which were misbranded. The defendant also made two over-the-counter sales of *Seconal Sodium capsules*.

The capsules had been shipped in interstate commerce from Indianapolis, Ind., to Milwaukee, Wis., and while held for sale after such shipment, the capsules were repacked by the defendant and sold without a physician's prescription, which acts of the defendant resulted in the capsules being misbranded.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the capsules failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and a statement of the quantity of the contents.

Further misbranding, Section 502 (d), the capsules contained a chemical derivative of barbituric acid, which derivative, the Federal Security Administrator, after investigation, has found to be, and by regulations designated as, habit forming; and the capsules failed to bear a label containing the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), the capsules bore no labeling containing directions for use.

DISPOSITION: December 11, 1950. A plea of nolo contendere having been entered, the court imposed a fine of \$1,000 on count 1, suspended the imposition of sentence on the remaining three counts of the information, and placed the defendant on probation for 1 year.

3285. Misbranding of Nembutal-C tablets, Nembutal Sodium capsules, Benzdrine Sulfate tablets, and Dexedrine Sulfate tablets. U. S. v. Pitman-Wilson Co. and Herman N. Amick. Pleas of nolo contendere. Fines of \$300 against company and \$150 against individual. (F. D. C. No. 29468. Sample Nos. 52537-K, 52950-K, 52956-K, 52957-K, 72281-K, 72378-K.)

INFORMATION FILED: October 10, 1950, Southern District of Indiana, against the Pitman-Wilson Co., a corporation, Rushville, Ind., and Herman N. Amick, secretary-treasurer of the corporation.

INTERSTATE SHIPMENT: From the States of Ohio, Pennsylvania, and Illinois, into the State of Indiana, of quantities of *Nembutal-C tablets*, *Nembutal Sodium capsules*, *Benzdrine Sulfate tablets*, and *Dexedrine Sulfate tablets*.

ALLEGED VIOLATION: On or about September 13 and December 28, 1949, and January 4 and 5, 1950, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused quantities of the drugs to be repackaged and sold to various persons without a prescription, which acts of the defendant resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear labels containing statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs bore no directions for use.

Further misbranding, Section 502 (d), the repackaged *Nembutal-C tablets* and *Nembutal Sodium capsules* contained a chemical derivative of barbituric acid, which derivative, the Federal Security Administrator, after investigation, has found to be, and by regulations designated as, habit forming; and the labels of the repackaged *Nembutal-C tablets* and *Nembutal Sodium capsules* failed