

* * * By combining the two antibiotics we obtain a very desirable synergistic action resulting in more effective curative action than when either Aureomycin or Tyrothricin is used separately."

Further misbranding, Section 502 (1), the article purported to be and was represented as a drug composed in whole or in part of aureomycin, and it was not from a batch with respect to which a certificate or release had been issued pursuant to the law.

DISPOSITION: January 9, 1951. Default of decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS

3343. Misbranding of methyltestosterone tablets. U. S. v. Zeno M. Weir (Weir's Drugs & Jewelry). Plea of nolo contendere. Fine, \$150. (F. D. C. No. 29433. Sample Nos. 51383-K, 51388-K, 52645-K.)

INFORMATION FILED: August 30, 1950, Western District of Kentucky, against Zeno M. Weir, trading as Weir's Drugs & Jewelry, Owensboro, Ky.

INTERSTATE SHIPMENT: From the State of New Jersey into the State of Kentucky, of quantities of *methyltestosterone tablets*.

ALLEGED VIOLATION: On or about November 1, 14, and 16, 1949, while the tablets were being held for sale after shipment in interstate commerce, the defendant caused a number of the tablets to be repacked and sold without a physician's prescription, which acts resulted in the tablets being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged tablets bore no label containing a statement of the quantity of the contents; and, Section 502 (f) (1), the repackaged tablets bore no labeling containing directions for use.

DISPOSITION: February 13, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$150.

3344. Misbranding of Nue-Ovo. U. S. v. 24 Units * * * (and 13 other seizure actions.) (F. D. C. Nos. 24663, 24672, 24972, 25050, 25243, 25259, 25272, 25420, 25504, 25516, 26466, 26506, 26538, 26564, 26854. Sample Nos. 7987-K, 12576-K, 15579-K, 20629-K, 21902-K, 21904-K, 27531-K, ~~28984-K~~ 28985-K, 31372-K, 31374-K, 40639-K, 40683-K, 40688-K, 40690-K.)

LIBELS FILED: Between June 3, 1948, and April 1, 1949, District of Utah, Western District of Missouri, Southern District of California, Northern District of Oklahoma, District of Kansas, Western District of Washington, Eastern District of Michigan, and Middle and Western Districts of Pennsylvania.

ALLEGED SHIPMENT: Between January 11, 1947, and February 15, 1949, by the Nue-Ovo Co., from Chicago, Ill., and by Research Laboratories, Inc., from Portland, Oreg.

PRODUCT: *Nue-Ovo*. 41 1-pint bottles; 147 units, each containing 3 1-pint bottles; and 8 cases, each containing 6 units of 3 1-pint bottles, at Salt Lake City and Ogden, Utah; Springfield, Mo.; Glendale and Vernon, Calif.; Miami, Okla.; Hutchinson and Lawrence, Kans.; Bellefonte and Pittsburgh, Pa.; Tacoma, Raymond, and Olympia, Wash.; and Detroit, Mich.