

quate directions for use in that the directions "Caution: To be taken only on advice of your doctor," "Caution: To be taken only as directed by your physician," "Caution: To be taken only as directed by doctor," and "Caution: To be used only as directed by your doctor," borne on the labeling of the repackaged drugs, were not adequate directions for use.

Further misbranding, Section 502 (f) (2), the repackaged *dextro-amphetamine phosphate tablets* and the *triple sulfa 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 12, 1951. A plea of guilty having been entered, the court imposed a fine of \$250.

3410. Misbranding of thyroid tablets, diethylstilbestrol tablets, Amytal tablets, sulfadiazine and sodium bicarbonate tablets, and sulfathiazole tablets. U. S. v. Seybold Drug Co. Plea of guilty. Fine, \$700. (F. D. C. No. 29455. Sample Nos. 27088-K, 27092-K, 76522-K, 76523-K, 76525-K, 76527-K, 76544-K.)

INFORMATION FILED: September 26, 1950, Eastern District of Missouri, against the Seybold Drug Co., a corporation, Poplar Bluff, Mo.

INTERSTATE SHIPMENT: From the States of Michigan, Indiana, and Tennessee into the State of Missouri, of quantities of *thyroid tablets*, *diethylstilbestrol tablets*, *Amytal tablets*, *sulfadiazine and sodium bicarbonate tablets*, and *sulfathiazole tablets*.

ALLEGED VIOLATION: On or about December 28 and 29, 1949, and January 9, 10, and 12, 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 without a prescription, which acts 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 failed to bear adequate directions for use since the directions "As directed" borne on the labeling of the *diethylstilbestrol tablets* and the *sulfathiazole tablets* and the directions "One as needed" borne on the labeling of a portion of the repackaged *Amytal tablets* were not adequate directions for use, and since the labeling of the remainder of the repackaged drugs bore no directions for use; and, Section 502 (b) (1), the repackaged drugs other than the *sulfathiazole tablets* bore no labels containing the name and place of business of the manufacturer, packer, or distributor.

Further misbranding, Section 502 (d), the *Amytal tablets* contained a chemical derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and the label of the repackaged *Amytal tablets* 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), the repackaged *diethylstilbestrol tablets* and the *sulfathiazole tablets* bore no labels containing the common or usual name of the drugs; Section 502 (e) (2), the repackaged *sulfadiazine and sodium bicarbonate tablets* failed to bear the common or usual name of each active ingredient of the tablets; and, Section 502 (f) (2), the labeling

of the *sulfadiazine and sodium bicarbonate tablets* and the *sulfathiazole tablets* bore no warning 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:** March 27, 1951. A plea of guilty having been entered, the court imposed a fine of \$700 against the defendant.

**3411. Misbranding of sulfadiazine and sodium bicarbonate tablets and thyroid tablets. U. S. v. John Frederick Borth, Jr. Plea of guilty. Fine, \$200. (F. D. C. No. 29443. Sample Nos. 27087-K, 61862-K.)**

**INFORMATION FILED:** September 26, 1950, Eastern District of Missouri, against John Frederick Borth, Jr., manager and pharmacist for Borth's Rexall Drug Store, Poplar Bluff, Mo.

**INTERSTATE SHIPMENT:** From the State of Indiana into the State of Missouri, of quantities of *sulfadiazine and sodium bicarbonate tablets* and *thyroid tablets*.

**ALLEGED VIOLATION:** On or about January 9 and 11, 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 without a prescription, which acts resulted in the repackaged drugs being misbranded.

**NATURE OF CHARGE:** Misbranding, Section 502 (b) (2), the repackaged drugs bore no label containing 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 (b) (1), the repackaged *sulfadiazine and sodium bicarbonate tablets* failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and the repackaged *thyroid tablets* failed to bear a label stating the place of business of the manufacturer, packer, or distributor; Section 502 (e) (2), the repackaged *sulfadiazine and sodium bicarbonate tablets* bore no label containing the common or usual name of each active ingredient of the tablets; and, Section 502 (f) (2), the repackaged *sulfadiazine and sodium bicarbonate 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:** March 27, 1951. A plea of guilty having been entered, the court imposed a fine of \$200 against the defendant.

**3412. Misbranding of sulfadiazine tablets and Nembutal Sodium capsules. U. S. v. John Frederick Borth, Sr. Plea of guilty. Fine, \$200. (F. D. C. No. 29442. Sample Nos. 76521-K, 76545-K.)**

**INFORMATION FILED:** September 26, 1950, Eastern District of Missouri, against John Frederick Borth, Sr., manager of the Martin Drug Co., Poplar Bluff, Mo.

**INTERSTATE SHIPMENT:** From the States of Tennessee and Illinois into the State of Missouri, of quantities of *sulfadiazine tablets* and *Nembutal Sodium capsules*.

**ALLEGED VIOLATION:** On or about December 28, 1949, and January 10, 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 without a prescription, which acts resulted in the repackaged drugs being misbranded.