

Further misbranding, Section 502 (b) (1), the repackaged *Benzedrine Sulfate tablets*, *Dexedrine Sulfate tablets*, and *sulfadiazine tablets* failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor.

Further misbranding, Section 502 (d), the repackaged *pentobarbital sodium capsules* 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 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 (f) (2), the labeling of the repackaged *sulfadiazine 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: October 1, 1951. Pleas of guilty having been entered, the court imposed a fine of \$70 against the defendants jointly.

**3558. Misbranding of pentobarbital sodium capsules, Dexedrine Sulfate tablets, thyroid tablets, diethylstilbestrol capsules, and sulfadiazine tablets.**  
**U. S. v. Burley F. Jones (Sidney's Drug Store), Jay J. Gentry, and Cecil N. Gammon. Pleas of guilty. Fine of \$100 against defendants jointly.**  
 (F. D. C. No. 30566. Sample Nos. 76957-K, 76959-K, 76962-K, 76979-K, 77036-K, 77145-K, 77146-K, 77766-K, 77771-K, 78215-K.)

INFORMATION FILED: June 22, 1951, Western District of Missouri, against Burley F. Jones, trading as Sidney's Drug Store, Lebanon, Mo., and against Jay J. Gentry, an employee of the store, and Cecil N. Gammon, a pharmacist for the store.

INTERSTATE SHIPMENT: From the States of Illinois, Pennsylvania, and Michigan, into the State of Missouri, of quantities of *pentobarbital sodium capsules*, *Dexedrine Sulfate tablets*, *thyroid tablets*, *diethylstilbestrol capsules*, and *sulfadiazine tablets*.

ALLEGED VIOLATION: On or about May 21, June 12 and 17, and July 5, 6, and 12, 1950, while the drugs were being held for sale at Sidney's Drug Store after shipment in interstate commerce, various quantities of the drugs were repacked and sold without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

Burley F. Jones was charged with causing the acts of repacking and sale of the drugs involved in each of the ten counts of the information; and, in addition, Jay J. Gentry in each of two counts of the information and Cecil N. Gammon in one count of the information were charged with causing such acts to be done in connection with the drugs involved in those counts.

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 failed to bear adequate directions for use.

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

Further misbranding, Section 502 (d), the *pentobarbital sodium capsules* 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 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 (f) (2), the labeling of the repackaged *sulfadiazine 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: September 21, 1951. Pleas of guilty having been entered, the court imposed a fine of \$100 against the defendants jointly.

**3559. Misbranding of pentobarbital sodium capsules and Tuinal capsules. U. S. v. Carolina Pharmacy and T. Philip Lloyd. Pleas of nolo contendere. Fine of \$500 against defendants jointly. Individual also placed on probation for 2 years. (F. D. C. No. 30588. Sample Nos. 81985-K, 82041-K, 82043-K, 82085-K, 82088-K.)**

INFORMATION FILED: June 21, 1951, Middle District of North Carolina, against the Carolina Pharmacy, a partnership, Chapel Hill, N. C., and T. Philip Lloyd, a partner in the partnership.

INTERSTATE SHIPMENT: From the States of Georgia and Indiana into the State of North Carolina, of quantities of *pentobarbital sodium capsules* and *Tuinal capsules*.

ALLEGED VIOLATION: On or about July 17, September 27 and 29, and October 5, 1950, while the drugs were being held for sale after shipment in interstate commerce, the defendants caused various quantities of the drugs to be repacked and sold without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), a portion of the repackaged *pentobarbital sodium capsules* failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (b) (2), all of the repackaged drugs failed to bear labels containing statements of the quantity of the contents.

Further misbranding, Section 502 (d), the drugs contained chemical derivatives or barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and the label of the repackaged drugs failed to bear the name, and quantity or proportion of such derivatives and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use since the directions "Dose One" appearing on the labeling of a portion of the repackaged drugs were not adequate directions for use and since the labeling of the remainder of the repackaged drugs bore no directions for use.

DISPOSITION: September 24, 1951. Pleas of nolo contendere having been entered, the court imposed a fine of \$500 against the defendants jointly and placed the individual defendant on probation for 2 years on the condition that he keep an accurate record of all sales of the drugs involved and have the records available for inspection at all times.

**3560. Misbranding of diethylstilbestrol perles. U. S. v. Standard Pharmacy and Thomas L. White. Pleas of guilty. Fine of \$150 against each defendant. (F. D. C. No. 30613. Sample No. 82195-K.)**

INFORMATION FILED: July 19, 1951, Northern District of Georgia, against the Standard Pharmacy, a corporation, Atlanta, Ga., and Thomas L. White, president of the corporation.