Further misbranding, Section 502 (a), the name "Blake's Mineral Compound" and the representations on the label that the declared ingredients were active, coupled with the directions for use, were false and misleading. The name and the representations suggested that the article furnished essential minerals required by sheep and cattle. However, ammonium chloride and sodium sulfate, two of the declared active ingredients, are not required by sheep and cattle; tobacco powder is not a mineral; and, when used as directed, the article would furnish inconsequential nutritional amounts of potassium chlorate and calcium carbonate.

DISPOSITION: July 21, 1952. Default decrees of condemnation and destruction.

3819. Misbranding of Nico tablets. U. S. v. 231 Packages, etc. (F. D. C. No. 33199. Sample No. 33674–L.)

LIBEL FILED: May 15, 1952, Northern District of Illinois.

ALLEGED SHIPMENT: On or about November 24, 1951, from Kansas City, Mo., to Fidelity Laboratories, Inc., Chicago, Ill.

PRODUCT: *Nico tablets.* 231 100-tablet packages, 7 50-tablet packages, 1 100-tablet bottle, and 49 50-tablet bottles at Chicago, Ill.

RESULTS OF INVESTIGATION: The tablets were shipped in bulk, and upon receipt by the consignee, were repackaged into the above-mentioned packages and bottles.

LABEL, IN PART: (Package and bottle) "Nico Tablets (Sheep) For Treatment of Sheep and Goats against large round worms. Contains: Copper Sulfate . . . 6.0 grs. Nicotine Sulfate . . . 1.0 gr. Kaolin.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "For Treatment of Sheep and Goats against large round worms" was false and misleading since the article was not effective in the treatment of large round worms in sheep and goats. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: September 24, 1952. Default decree of condemnation and destruction.

DRUG ACTIONABLE BECAUSE OF FAILURE TO BEAR A LABEL CONTAINING AN ACCURATE STATEMENT OF THE QUANTITY OF THE CONTENTS

3820. Misbranding of elixir terpin hydrate and codeine. U. S. v. Purepac Corp. Plea of nolo contendere. Fine, $250. (F. D. C. No. 19552. Sample No. 7605–H.)

INFORMATION FILED: July 17, 1946, Southern District of New York, against the Purepac Corp., New York, N. Y.

ALLEGED SHIPMENT: On or about July 11, 1945, from the State of New York into the State of New Jersey.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the labels of the article failed to bear an accurate statement of the quantity of the contents. The labels on the bottles containing the article bore the statement "Two Fluid Ounces," whereas the bottles contained less than 2 fluid ounces.

DISPOSITION: July 18, 1952. A plea of nolo contendere having been entered, the court imposed a fine of $250.

FEDERAL SECURITY AGENCY

FOOD AND DRUG ADMINISTRATION

NOTICES OF JUDGMENT UNDER THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

[Given pursuant to section 705 of the Food, Drug, and Cosmetic Act]

3821–3840

DRUGS AND DEVICES

The cases reported herewith were instituted in the United States district courts by the United States attorneys, acting upon reports submitted by the Federal Security Agency. Published by direction of the Federal Security Administrator.

CHARLES W. CRAWFORD, *Commissioner of Food and Drugs.*
WASHINGTON, D. C., *March 16, 1953.*

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*For presence of a habit-forming narcotic without warning statement, see Nos. 3822–3824, 3826–3828; omission of, or unsatisfactory, ingredients statements, Nos. 3822–3826; imitation of, and sale under name of, another drug, No. 3830; failure to bear a label containing an accurate statement of the quantity of the contents, Nos. 3822–3828; failure to bear a label containing the name and place of business of the manufacturer, packer, or distributor, Nos. 3822–3827.

242335—53——1

DRUGS IN VIOLATION OF PRESCRIPTION LABELING REQUIREMENTS

3821. Misbranding of male hormone tablets. U. S. v. 719 Boxes, etc. (F. D. C. No. 33331. Sample Nos. 34692–L, 34693–L.)

LIBEL FILED: July 19, 1952, Western District of Arkansas.

ALLEGED SHIPMENT: On or about May 29, 1952, by Captivante Laboratories, from New York, N. Y.

PRODUCT: 1,3[illegible] 60-tablet boxes of *male hormone tablets* at Hot Springs, Ark.

LABEL, IN PART: (Box) "Yale Testrex Male Sex Hormones 60 Tablets * * * Ingredients per tablet 2.5 mg. Methyl Testosterone with Ethinyl Estradiol .0025 mg." and "Yale Testrex Male Sex Hormones 60 Tablets—Super-Strength (Double Potency) * * * Ingredients per tablet 5 mg. Methyl Testosterone with Ethinyl Estradiol .0050 mg."

NATURE OF CHARGE: Misbranding, Section 503 (b) (4), the tablets were intended for use by man and were subject to Section 503 (b) (1) (B), and the labels of the tablets failed to bear the statement "Caution: Federal Law prohibits dispensing without prescription."

DISPOSITION: September 23, 1952. Default decree of condemnation and destruction.

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

3822. Misbranding of dextro-amphetamine sulfate tablets, phenobarbital tablets, methyltestosterone tablets, and methamphetamine hydrochloride tablets. U. S. v. Glenn M. Stinson (Stinson Drug Store), and Floyd L. Yarbro. Pleas of nolo contendere. Glenn M. Stinson fined $205 and Floyd L. Yarbro fined $60. (F. D. C. No. 32727. Sample Nos. 15509–L to 15511–L, incl., 15513–L, 15514–L, 15520–L, 15523–L.)

INFORMATION FILED: September 18, 1952, Western District of Oklahoma, against Glenn M. Stinson, trading as the Stinson Drug Store, Lawton, Okla., and Floyd L. Yarbro, pharmacist.

INTERSTATE SHIPMENT: Prior to the dates of the sales reported below, various quantities of *dextro-amphetamine sulfate tablets*, *phenobarbital tablets*, *methyltestosterone tablets*, and *methamphetamine hydrochloride tablets* were shipped in interstate commerce into the State of Oklahoma.

ALLEGED VIOLATION: On or about October 11, 13, 15, and 22, 1951, while the drugs were being held for sale at the Stinson Drug Store after shipment in interstate commerce, various quantities of the drugs were repacked and sold without physicians' prescriptions, which acts resulted in the repackaged drugs being misbranded.

Glenn M. Stinson was charged in each of the 7 counts of the information and Floyd L. Yarbro in 4 counts with causing the acts of repacking and sale of the drugs involved in those counts.

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 accurate 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.