derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and the labeling of the repackaged drugs failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

DISPOSITION: October 1, 1952. Pleas of nolo contendere having been entered, the court imposed a fine of $220 against James H. Ford and $90 against Bruce R. Lucas.

3824. Misbranding of methyltestosterone tablets, phenobarbital tablets, dextro-amphetamine sulfate tablets, and elixir phenobarbital and thiamine. U. S. v. Public Drug Store. Plea of nolo contendere. Fine, $280. (F. D. C. No. 32728. Sample Nos. 15451–L, 15452–L, 15456–L, 15460–L to 15462–L, incl., 15466–L, 15467–L.)

INFORMATION FILED: September 18, 1952, Western District of Oklahoma, against the Public Drug Store, a partnership, Lawton, Okla.

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

ALLEGED VIOLATION: On or about September 28 and October 9, 11, 13, 15, and 22, 1951, while the drugs were being held for sale at the Public Drug Store after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and dispensed without physicians' prescriptions, 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 (b) (1), with the exception of the *elixir phenobarbital and thiamine*, the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (f) (1), the drugs failed to bear labeling containing adequate directions for use.

Further misbranding, Section 502 (d), the repackaged *phenobarbital tablets* and the *elixir phenobarbital and thiamine* 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 such repackaged drugs 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) (2), the repackaged *methyltestosterone tablets* and *dextro-amphetamine sulfate tablets* were fabricated from two or more ingredients, and they failed to bear labels containing the common or usual name of each active ingredient.

DISPOSITION: October 1, 1952. A plea of nolo contendere having been entered on behalf of the partnership, the court imposed a fine of $280.

3825. Misbranding of methyltestosterone tablets and Sulfonamides Triplex tablets. U. S. v. Lynne E. Steele (Steele Drug Store). Plea of guilty. Fine, $200. (F. D. C. No. 32706. Sample Nos. 13776–L, 13777–L, 13780–L, 13781–L.)

INFORMATION FILED: April 1, 1952, District of Utah, against Lynne E. Steele, trading as the Steele Drug Store, Salt Lake City, Utah.

ALLEGED VIOLATION: On or about September 15, 18, 24, and 25, 1951, while quantities of *methyltestosterone tablets* and *Sulfonamides Triplex tablets* were being held for sale at the Steele Drug Store after shipment in interstate commerce, the defendant caused a number of tablets of such drugs to be repacked and dispensed without physicians' prescriptions, which acts 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 an accurate statement of the quantity of the contents; Section 502 (e) (1), the repackaged drugs were not designated solely by names recognized in an official compendium and were fabricated from two or more ingredients, and they failed to bear labels containing the common or usual name of each active ingredient; Section 502 (f) (1), the repackaged drugs failed to bear labeling containing adequate directions for use; and, Section 502 (f) (2), the repackaged *Sulfonamides Triplex tablets* failed to bear labeling containing adequate 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, in such manner and form, as are necessary for the protection of users.

DISPOSITION: May 2, 1952. A plea of guilty having been entered, the court imposed a fine of $200.

3826. Misbranding of sulfadiazine tablets, dextro-amphetamine sulfate tablets, and Seconal Sodium capsules. U. S. v. Toland Dwight Mitchell. Plea of nolo contendere. Fine, $300. (F. D. C. No. 30030. Sample Nos. 70852-K to 70854-K, incl., 70856-K, 70857-K, 70860-K, 70861-K, 70863-K, 70864-K, 70866-K, 70867-K, 70869-K, 70872-K.)

INFORMATION FILED: February 15, 1951, Western District of Oklahoma, against Toland Dwight Mitchell.

ALLEGED VIOLATION: On or about April 23, 24, 25, 26, 28, and 30, 1950, while quantities of *sulfadiazine tablets*, *dextro-amphetamine sulfate tablets*, and *Seconal Sodium capsules* were being held for sale after shipment in interstate commerce, at the stores of Stanro Stores, Inc., operated under the names of Reno Drug Co. and Standard Drug Co., at Oklahoma City, Okla., Toland Dwight Mitchell, president of Stanro Stores, Inc., caused quantities of such drugs to be repacked and disposed of without physicians' prescriptions, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), the repackaged *sulfadiazine tablets* and *dextro-amphetamine sulfate tablets* failed to bear labels 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 a statement of the quantity of the contents.

Further misbranding, Section 502 (d), the repackaged *Seconal 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 drug 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 *sulfadiazine tablets* failed to bear a label containing the common or usual name of the drug; Section 502 (f) (1), the labeling of all of the repackaged drugs