

DISPOSITION: March 19, 1953. A plea of *nolo contendere* having been entered by the defendant, the court fined him \$900, plus costs.

3928. Misbranding of dextro-amphetamine sulfate tablets. U. S. v. Isidor Rosenfeld and George J. Robbins. Pleas of *nolo contendere*. Fine of \$100 against each defendant. (F. D. C. No. 33721. Sample Nos. 24551-L, 24554-L.)

INFORMATION FILED: February 9, 1953, Eastern District of New York, against Isidor Rosenfeld and George J. Robbins, partners in the partnership of the Morton Pharmacy, Long Island City, N. Y.

ALLEGED VIOLATION: On or about May 19 and July 6, 1951, while a number of *dextro-amphetamine sulfate tablets* were being held for sale at the Morton Pharmacy, after shipment in interstate commerce, the defendants caused quantities of the tablets to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged tablets being misbranded.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged tablets failed to bear a label 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) (2), the repackaged tablets were fabricated from two or more ingredients, and they failed to bear a label containing the common or usual name of each active ingredient; and, Section 502 (f) (1), the labeling of the repackaged tablets failed to bear adequate directions for use.

DISPOSITION: March 18, 1953. Pleas of *nolo contendere* having been entered, the court fined each defendant \$100.

3929. Misbranding of sulfathiazole tablets. U. S. v. Isadore Arthur Shenk (Garden Pharmacy). Plea of guilty. Fine, \$150. (F. D. C. No. 32795. Sample Nos. 25359-L, 25360-L, 26638-L, 26639-L.)

INFORMATION FILED: October 15, 1952, Eastern District of Pennsylvania, against Isadore Arthur Shenk, trading as the Garden Pharmacy, Philadelphia, Pa.

ALLEGED VIOLATION: On or about November 7, 13, and 20, 1951, while a number of *sulfathiazole tablets* were being held for sale at the Garden Pharmacy, after shipment in interstate commerce, the defendant caused a number of the tablets to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drug being misbranded.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged drug failed to bear a label 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 label of the repackaged drug failed to bear the common or usual name of the drug; and, Sections 502 (f) (1) and (2), the labeling of the repackaged drug failed to bear adequate directions for use and adequate warnings against use in those pathological conditions where its 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: April 8, 1953. The defendant having entered a plea of guilty, the court fined him \$150.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3930. Adulteration of cantharides and rhubarb root. U. S. v. 4 Crates, etc.
(F. D. C. No. 33540. Sample Nos. 38380-L, 38383-L.)

LIBEL FILED: August 22, 1952, Southern District of New York.

ALLEGED SHIPMENT: Imported from various foreign countries between December 6, 1950, and January 25, 1951.

PRODUCT: 4 crates, each containing 549 pounds, of *cantharides*, and 15 drums, each containing 200 pounds, of *rhubarb root* at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the articles consisted in whole or in part of filthy substances by reason of the presence of insects. The articles were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: January 19, 1953. Default decree of condemnation and destruction.

3931. Adulteration of lobelia herb. U. S. v. 6 Bales * * *. (F. D. C. No. 33539.
Sample No. 38385-L.)

LIBEL FILED: August 25, 1952, Southern District of New York.

ALLEGED SHIPMENT: On various dates, from Coeburn, Va., and West Jefferson and Boone, N. C.

PRODUCT: 6 230-pound bales of *lobelia herb* at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in part of a filthy substance by reason of the presence of insect excreta and webbing. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: February 26, 1953. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS*

3932. Adulteration of liver-folic acid-B₁₂ injection. U. S. v. 46 Vials * * *. (F. D. C. No. 34077. Sample No. 55237-L.)

LIBEL FILED: September 26, 1952, Northern District of New York.

ALLEGED SHIPMENT: On or about August 26, 1952, by the Addison Laboratories, from Philadelphia, Pa.

PRODUCT: 46 vials of *liver-folic acid-B₁₂ injection* at Syracuse, N. Y. Analysis showed that the product was 86 percent deficient in vitamin B₁₂.

LABEL, IN PART: "10 CC. Liver-Folic Acid B-12 Hematopoietic Formula Intramuscular Each CC. Contains Vit. B-12 30 MCGM. (Crystalline)."

NATURE OF CHARGE: Adulteration, Section 501 (c), the strength of the article differed from that which it was represented to possess, namely, "Each CC. Contains Vit. B-12 30 MCGM."

DISPOSITION: November 18, 1952. Default decree of condemnation and destruction.

3933. Adulteration and misbranding of vitamin B complex. U. S. v. 82 Vials * * *. (F. D. C. No. 34270. Sample No. 36651-L.)

LIBEL FILED: December 1, 1952, Southern District of Ohio.

*See also No. 3939.