502 (f) (2), the *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: October 23, 1950. Pleas of nolo contendere having been entered on behalf of the corporation and Robert H. Wyatt, the court fined each of these defendants $100 and dismissed counts 3, 4, and 5 against them. Pleas of nolo contendere having been entered by Walter M. Boyett to counts 4 and 5 and by Ralph H. Duncan to count 1, the former was fined $100 and the latter $50.

3264. Misbranding of Dexedrine Sulfate tablets, sulfadiazine tablets, thyroid tablets, and diethylstilbestrol tablets. U. S. v. Walter W. Evans and Robert A. Binford (Evans Drug Co.). Pleas of nolo contendere. Each defendant fined $150. (F. D. C. No. 29124. Sample Nos. 61643–K, 61664–K, 61678–K to 61680–K, incl., 61753–K.)

INFORMATION FILED: June 7, 1950, Western District of Kentucky, against Walter W. Evans and Robert A. Binford, trading as the Evans Drug Co., a partnership, Fulton, Ky.

INTERSTATE SHIPMENT: From the States of Pennsylvania, Missouri, and Indiana, into the State of Kentucky, of quantities of *Dexedrine Sulfate tablets, sulfadiazine tablets, thyroid tablets,* and *diethylstilbestrol tablets.*

ALLEGED VIOLATION: On or about September 13, 18, and 24, 1949, while the drugs were being held for sale after shipment in interstate commerce, the defendants caused various quantities of *Dexedrine Sulfate tablets, sulfadiazine tablets, thyroid tablets,* and *diethylstilbestrol tablets* to be repackaged and sold without a prescription, 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 a statement of the quantity of the contents; and, Section 502 (f) (1), the repackaged drugs bore no labeling containing directions for use.

Further misbranding, Section 502 (f) (2), the repackaged *sulfadiazine 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: October 23, 1950. Walter W. Evans and Robert I. Binford having entered pleas of nolo contendere, the court fined the former $150 on counts 1, 2, and 3, and the latter $150 on counts 4, 5, and 6. Counts 4, 5, and 6 against Walter W. Evans and counts 1, 2, and 3 against Robert I. Binford were dismissed.

3265. Misbranding of Triple Sulfonamides tablets, Dexedrine Sulfate tablets, diethylstilbestrol tablets, and pentobarbital sodium capsules. U. S. v. Carl E. Neels. Plea of guilty. Fine, $1,100. (F. D. C. No. 29435. Sample Nos. 60867–K, 60868–K, 60938–K, 60939–K, 60954–K, 60955–K, 60974–K.)

INFORMATION FILED: July 25, 1950, Eastern District of Missouri, against Carl E. Neels, a pharmacist for Neels Drugs, St. Louis, Mo.

INTERSTATE SHIPMENT: From the States of Ohio, Pennsylvania, Indiana, and New York, into the State of Missouri, of quantities of *Triple Sulfonamides*

tablets, Dexedrine Sulfate tablets, diethylstilbestrol tablets, and *pentobarbital sodium capsules.*

ALLEGED VIOLATION: On or about August 4, 20, 22, and 25, 1949, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused various quantities of such drugs to be repacked and sold without a prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), the repackaged drugs, with the exception of the *diethylstilbestrol 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 an accurate statement of the quantity of the contents.

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 *pentobarbital sodium capsules* failed to bear the name and quantity of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (2), the *Triple Sulfonamides tablets* were fabricated from two or more ingredients, and when repackaged, their label failed to bear the common or usual name of each active ingredient; and, Section 502 (f) (1), the labeling of all of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (f) (2), the labeling of the repackaged *Triple Sulfonamides tablets* and *diethylstilbestrol tablets* bore no 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: August 18, 1950. A plea of guilty having been entered, the court imposed a fine of $1,100.

3266. Misbranding of Desoxyn Hydrochloride tablets, Combisul tablets, and Seconal Sodium capsules. U. S. v. William Chester Dickson (Medical Arts Pharmacy), and Oliver A. Roholt, Sr. Pleas of guilty. William Chester Dickson fined $150 and Oliver A. Roholt, Sr., fined $25. (F. D. C. No. 28154. Sample Nos. 41071–K, 41072–K, 50629–K to 50632–K, incl.)

INFORMATION FILED: September 15, 1950, District of Montana, against William Chester Dickson, trading as the Medical Arts Pharmacy, Great Falls, Mont., and Oliver A. Roholt, Sr., a pharmacist.

INTERSTATE SHIPMENT: From the States of Indiana, Washington, and New Jersey, into the State of Montana, of quantities of *Desoxyn Hydrochloride tablets, Combisul tablets,* and *Seconal Sodium capsules.*

ALLEGED VIOLATION: On or about May 25 and 26, 1949, while the drugs were being held for sale after shipment in interstate commerce, William Chester Dickson caused various quantities of the drugs to be repacked and sold without a prescription, and on May 25, 1949, William Chester Dickson and Oliver A. Roholt, Sr., caused an additional quantity of *Combisul tablets* to be repacked and sold without a prescription, which acts of the defendants resulted in the repackaged tablets and capsules being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), the repackaged *Combisul tablets* and a portion of the repackaged *Desoxyn Hydrochloride tablets* failed