

*tablets, Dewedrine 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

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 bore no labels containing statements 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 drug failed to bear a label containing the name, and quantity or proportion of such derivative and the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), all of the repackaged drugs failed to bear labeling containing adequate directions for use; and, Section 502 (f) (2), the repackaged *Desowyn Hydrochloride tablets* and *Combisul 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: September 15, 1950. Pleas of guilty having been entered, the court fined William Chester Dickson \$150 and Oliver A. Roholt, Sr., \$25.

**3267. Misbranding of Special tablets. U. S. v. 2 Bottles \* \* \*. (F. D. C. No. 29726. Sample No. 81219-K.)**

LIBEL FILED: September 11, 1950, Eastern District of Pennsylvania.

ALLEGED SHIPMENT: On or about February 26 and April 1, 1950, by D. M. Olmstead Laboratories, from Camden, N. J.

PRODUCT: 2 bottles of *Special tablets* at Darby, Pa.

LABEL, IN PART: (Bottles) "3500 C. T. Special (Dr. Herting) Orchic Substance—1 gr. Prostate Substance—1 gr. d1-Desoxyephedrine Hydrochloride 1/10 gr. Yohimbine Hydrochloride 1/10 gr. Oil Peppermint q.s."

NATURE OF CHARGE: Misbranding, Section 502 (c), the information required by, and under authority of, Section 502 (e) (2) to appear on the label, namely, the common or usual names of each active ingredient, was not prominently placed on the label with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use since the names of the inert ingredients were arranged in such manner on the label as not to inform the purchaser which of the ingredients were inactive; and, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since it bore no directions for use.

DISPOSITION: October 17, 1950. Default decree of condemnation and destruction.

**3268. Misbranding of Elixir Aletris-Helonias Compound. U. S. v. 4 Bottles, etc. (F. D. C. No. 29245. Sample No. 60095-K.)**

LIBEL FILED: May 29, 1950, Northern District of Illinois.

ALLEGED SHIPMENT: On or about May 2, 1950, by Parke, Davis & Co., Detroit, Mich.

PRODUCT: 4 1-pint bottles and 2 1-gallon bottles of *Elixir Aletris-Helonias Compound* at Chicago, Ill.

LABEL, IN PART: "Elixir Aletris-Helonias Compound Each Fluid Ounce Represents Aletris (Star Grass)—30 Grains Helonias (False Unicorn)—30 Grains Caulophyllum (Blue Cohosh)—30 Grains Mitchella (Squaw Vine)—