INTERSTATE SHIPMENT: From the State of Pennsylvania into the State of Texas, of quantities of *Dexedrine Sulfate tablets.*

ALLEGED VIOLATION: On or about November 2, 7, 8, and 9, 1950, while the tablets were being held for sale at the Matlock Pharmacy after shipment in interstate commerce, various quantities of the tablets were repacked and sold without a physician's prescription, which acts resulted in the repackaged tablets being misbranded.

Rudolph Matlock, as owner, was made a defendant in all counts; and, in addition, Homer T. Wyatt was joined as a defendant in two of the counts involving sales made by him.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged tablets failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged tablets failed to bear adequate directions for use.

Further misbranding, Section 502 (b) (1), a portion of the repackaged tablets failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: October 31, 1951. Pleas of guilty having been entered, the court imposed a fine of $1,000 against Defendant Matlock and a fine of $500 against Defendant Wyatt.

3555. Misbranding of Dexedrine Sulfate tablets. U. S. v. J. Malcolm Webb (Webb's Drugs). Plea of guilty. Fine, $250. (F. D. C. No. 30615. Sample Nos. 84778–K, 10855–L.)

INFORMATION FILED: July 17, 1951, Southern District of Ohio, against J. Malcolm Webb, trading as Webb's Drugs, Camden, Ohio.

INTERSTATE SHIPMENT: From the State of Pennsylvania into the State of Ohio, of quantities of *Dexedrine Sulfate tablets.*

ALLEGED VIOLATION: On or about November 3, 1950, and January 4, 1951, while the tablets were being held for sale at Webb's Drugs after shipment in interstate commerce, the defendant caused a number of the tablets to be repacked and sold without a physician's prescription, which acts resulted in the repackaged tablets being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged tablets failed to bear a label containing statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged tablets bore no directions for use.

DISPOSITION: November 15, 1951. A plea of guilty having been entered, the court imposed a fine of $250.

3556. Misbranding of pentobarbital sodium capsules and Dexedrine Sulfate tablets. U. S. v. Frierson Drug Store (Frierson Drug Co., Inc.), Frederick J. Felder, and Harley S. Martin. Pleas of guilty. Fines of $100 against corporation and $50 against each individual. (F. D. C. No. 30036. Sample Nos. 81903–K, 81905–K, 81907–K, 81909–K, 81911–K, 81912–K.)

INFORMATION FILED: August 8, 1951, Eastern District of South Carolina, against the Frierson Drug Store, a corporation, trading as Frierson Drug Co., Inc., Charleston, S. C., and Frederick J. Felder, president, and Harley S. Martin, secretary-treasurer of the corporation.

ALLEGED SHIPMENT: From the States of Georgia and Pennsylvania into the State of South Carolina, of quantities of *pentobarbital sodium capsules* and *Dexedrine Sulfate tablets.*

ALLEGED VIOLATION: On or about April 5, 14, 26, and 28, 1950, while the drugs were being held for sale after shipment in interstate commerce, various quantities of the drugs were repacked and sold without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

The Frierson Drug Store was charged with causing the acts of repacking and sale of the drugs involved in each of the six counts of the information; and, in addition, Frederick J. Felder in each of five counts of the information and Harley S. Martin in one count of the information were charged with causing such acts to be done in connection with 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 statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear any directions for use.

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 repackaged capsules bore no label containing 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), the repackaged *Dexedrine Sulfate tablets* failed to bear a label containing the common or usual name of the drug.

DISPOSITION: August 8, 1951. Pleas of guilty having been entered, the court imposed fines of $100 against the corporation and $50 against each of the individuals.

3557. Misbranding of pentobarbital sodium capsules, Benzedrine Sulfate tablets, Dexedrine Sulfate tablets, and sulfadiazine tablets. U. S. v. Medley Drug Store and Raymond R. Medley. Pleas of guilty. Fine of $70 against defendants jointly. (F. D. C. No. 30568. Sample Nos. 76974–K, 76976–K, 77605–K, 77764–K, 77765–K, 77769–K, 78212–K.)

INFORMATION FILED: May 25, 1951, Western District of Missouri, against the Medley Drug Store, a partnership, Lebanon, Mo., and Raymond R. Medley, a partner in the partnership.

INTERSTATE SHIPMENT: From the States of Illinois and Pennsylvania into the State of Missouri, of quantities of *Pentobarbital sodium capsules, Benzedrine Sulfate tablets, Dexedrine Sulfate tablets,* and *Sulfadiazine tablets.*

ALLEGED VIOLATION: On or about May 21, June 12, and July 5, 8, and 12, 1950, while the drugs were being held for sale at the Medley Drug Store after shipment in interstate commerce, the defendants caused various quantities of the drugs to be repacked and sold without a physician's prescription, which acts resulted in the repacked 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; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.