

3647. Misbranding of Tuinal capsules, Gantrisin tablets, and Benzedrine Sulfate tablets. U. S. v. Nathan Stoller (Stoller's Pharmacy). Plea of nolo contendere. Fine, \$300. (F. D. C. No. 31243. Sample Nos. 79980-K, 80009-K to 80012-K, incl., 80244-K to 80251-K, incl.)

INFORMATION FILED: November 8, 1951, District of Massachusetts, against Nathan Stoller, trading as Stoller's Pharmacy, Boston, Mass.

INTERSTATE SHIPMENT: From the States of Massachusetts, New Jersey, Indiana, and Pennsylvania, into the State of Massachusetts, of quantities of *Tuinal capsules, Gantrisin tablets, and Benzedrine Sulfate tablets.*

ALLEGED VIOLATION: On or about August 26 and 28 and September 1, 7, 10, 11, 13, and 18, 1950, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and sold without a physician's prescription, 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; and Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (d), the *Tuinal capsules* contained derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and the labels of the capsules failed to bear the name, and quantity or proportion of each such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (1), the labels of the *Benzedrine Sulfate tablets* failed to bear the common or usual name of the drug; Section 502 (e) (2), the *Gantrisin tablets* were fabricated from two or more ingredients, and the labels of the tablets failed to bear the common or usual name of each active ingredient of the drug; and, Section 502 (f) (2), the labeling of the repackaged *Gantrisin tablets* failed to bear adequate warnings against use in those pathological conditions where the use of the drug 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: December 6, 1951. A plea of nolo contendere having been entered, the court imposed a fine of \$300.

3648. Misbranding of thyroid tablets and diethylstilbestrol tablets. U. S. v. Ole R. Ronning (Ronning Drug Store). Plea of guilty. Fine, \$200. (F. D. C. No. 30038. Sample Nos. 64644-K, 64656-K, 64668-K, 76128-K.)

INFORMATION FILED: March 29, 1951, District of South Dakota, against Ole R. Ronning, trading as Ronning Drug Store, Sioux Falls, S. Dak.

INTERSTATE SHIPMENT: From the States of Minnesota and Indiana into the State of South Dakota, of quantities of *thyroid tablets and diethylstilbestrol tablets.*

ALLEGED VIOLATION: On or about March 2 and April 12, 19, and 20, 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.

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 since it failed to bear any directions for use.

DISPOSITION: November 29, 1951. A plea of guilty having been entered, the court imposed a fine of \$200.

3649. Alleged misbranding of fenugreek tea, Cetabs tablets, Ribotabs tablets, Niamin tablets, Ormotabs tablets, Kordel-A capsules, and Minerals Plus Chlorophyll and Vitamin D tablets. U. S. v. 269 Packages, etc. (and 1 other seizure action). (F. D. C. Nos. 19401, 19722. Sample Nos. 14049-H, 43774-H to 43778-H, incl., 43780-H.)

LIBELS FILED: March 13, 1946, Southern District of Ohio, and April 30, 1946, Southern District of California; amended libels filed in Southern District of Ohio on or about October 22, 1947, and in Southern District of California on or about January 19, 1948.

ALLEGED SHIPMENT: Between the approximate dates of January 1, 1945, and March 22, 1946, by Lelord Kordel Products and Nutrition Enterprises (national distributor of Lelord Kordel Products), from Chicago, Ill.

PRODUCT: 231 4-ounce packages, 36 1-pound packages, and 2 4-pound packages of *fenugreek tea* at Cincinnati, Ohio, and 118 30-tablet boxes of *Cetabs tablets*, 288 50-tablet boxes of *Ribotabs tablets*, 25 50-tablet boxes of *Niamin tablets*, 232 50-tablet boxes of *Ormotabs tablets*, 288 30-capsule boxes of *Kordel-A capsules*, and 432 100-tablet boxes of *Minerals Plus Chlorophyll and Vitamin D tablets* at Los Angeles, Calif.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the articles failed to bear adequate directions for use in the following conditions for which the articles were prescribed, recommended, and suggested in their advertising disseminated and sponsored by or on behalf of the manufacturer or packer:

Fenugreek tea. Removal from the body of dead cells; preventing formation of mucus and slime; preventing or treating inflammation and ulcers of the stomach and duodenum; torpid liver; diseased liver; inflammation of the colon or colitis; swelling of the legs; poor circulation of the blood; leucorrhoea; mucous discharge from the head; boils; loss of smell; infection and rupturing of the appendix; peritonitis; overcoming obstacles to the proper absorption of food; and conditions interfering with the natural functions of the body;

Cetabs tablets. Treatment of allergies, aching joints, eczema, soft, bleeding, receding gums, flabby, soft tissues, red splotches of veins, tendency to bruise easily, and for keeping the cells of the body together;

Ribotabs tablets. Treatment or prevention of cataract of the eye, cracks in the tongue, corners of the eyes, finger tips, etc., itching of the lips and eyelids, and skin and eye conditions; effecting normal functioning and maintaining a healthy condition of the eyes; and maintaining maximum health;

Niamin tablets. Treatment or prevention of migraine headaches and high blood pressure accompanied by nervousness;

Ormotabs tablets. Regulating gland activity; producing hormones; benefiting the health and activity of glands; maintaining normal activity of the parathyroid gland; aiding the glands of the body; helping the glands to maintain body balance; assisting those approaching 40 and after 40; nourishing the glands of the body; helping the glands along; and causing the glands to function properly;