

defendants caused a quantity of these tablets and capsules to be repacked and disposed of without a physician's prescription, which acts resulted in the drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the labels of the repackaged drugs bore no statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the drugs failed to bear adequate directions for use.

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

Further misbranding, Section 502 (b) (1), the label of a portion of the *Benzedrine Sulfate tablets* failed to bear the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (e) (1), all lots of the *Benzedrine Sulfate tablets* failed to bear labels containing the common or usual name of the tablets.

DISPOSITION: November 20, 1951. Pleas of nolo contendere having been entered, the court imposed a fine of \$50 against each defendant.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3730. Adulteration and misbranding of sulfathiazole and Sulmet. U. S. v. 4 Drums, etc. (F. D. C. No. 32044. Sample Nos. 30418-L, 30419-L.)

LIBEL FILED: November 23, 1951, District of Oregon.

ALLEGED SHIPMENT: On or about July 6, 1951, from New York, N. Y.

PRODUCT: 4 30-pound drums of *sulfathiazole* and 196 1-gallon jars of *Sulmet* at Portland, Oreg.

RESULTS OF INVESTIGATION: Investigation revealed that the products had been immersed in flood waters and that the labels had been obliterated.

NATURE OF CHARGE: Adulteration, Section 501 (a) (2), the articles had been held under insanitary conditions whereby they may have become contaminated with filth.

Misbranding, Sections 502 (b) (1) and (2), the articles failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; and, Section 502 (e) (1), the labels of the articles failed to bear the common or usual name of the drugs.

DISPOSITION: February 11, 1952. Default decree of condemnation and destruction.

3731. Adulteration of psyllium husks (Plantago). U. S. v. 33 Bags * * *
(F. D. C. No. 32229. Sample No. 37199-L.)

LIBEL FILED: December 13, 1951, Southern District of New York.

ALLEGED SHIPMENT: On or about February 13, 1951, from India.

PRODUCT: 33 200-pound bags of *psyllium husks* (Plantago) at New York, N. Y.

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