

CHARGE: 502(d)—the articles contained a chemical derivative of barbituric acid, and their labels failed to bear the name of the drug and, in juxtaposition therewith, the statement "Warning: May be habit forming."; and 505(a)—the articles were new drugs which may not be introduced into interstate commerce, since applications filed pursuant to law were not effective with respect to such drugs.

DISPOSITION: 8-8-60. Default—destruction.

#### VIOLATIVE SALES OF PRESCRIPTION DRUGS

6384. Amphetamine sulfate (tablets and capsules). (F.D.C. No. 43626. S. No. 75-606 P.)

QUANTITY: Unknown quantity of tablets and capsules at Cairo, Ill.

SHIPPED: Prior to 10-26-59, from places outside the State of Illinois.

LIBELED: 10-28-59, E. Dist. Ill.

CHARGE: 502(b)—when shipped, the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents in terms of weight, measure, or numerical count; 502(e)(1)—the label of the article failed to bear the common or usual name of the drug; 502(f)(1)—the labeling of the article failed to bear adequate directions for use and the article was not exempt from such labeling since the article was, or would, be in possession of persons not regularly and lawfully engaged in the manufacture, transportation, storage, or wholesale distribution of prescription drugs and since the article was not to be dispensed as required by 503(b); 503(b)(1)—the article was a drug intended for use by man which, because of its toxicity or other potentiality for harmful effect and the collateral measures necessary to its use, is not safe for use except under the supervision of a practitioner licensed by law to administer such drug and it was dispensed contrary to the provisions of such Section; and 503(b)(4)—the article was subject to the provisions of 503(b)(1) and its label failed to bear the statement "Caution: Federal law prohibits dispensing without prescription."

DISPOSITION: 12-15-59. Default—delivered to the Food and Drug Administration.

#### DRUGS IN VIOLATION OF PRESCRIPTION LABELING REQUIREMENTS\*

6385. Dextro-amphetamine sulfate tablets and capsules and amphetamine sulfate tablets and capsules. (F.D.C. No. 43553. S. No. 75-813 P.)

QUANTITY: Unknown quantity of tablets and capsules at Wyatt, Mo.

SHIPPED: On an unknown date from Cairo, Ill., by Thurman L. Wilkerson, also known as Bo Wilkerson.

LIBELED: 10-28-59, E. Dist. Mo.

CHARGE: 502(b)—when shipped, the article failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents in terms of weight, measure, or numerical count; 502(e)(1)—the label of the article failed to bear the common or usual name of the drug; 502(f)(1)—the labeling of the article failed to bear adequate directions for use and the article was not exempt from such labeling since the article was, or would be, in pos-

\*See also No. 6384.