

the labels of a number of the articles, were false and misleading as applied to the articles then in the possession of a repacker and intended for sale, and not then intended for use as "complimentary - not to be sold" samples for physicians and others lawfully engaged in dispensing prescription drugs; and 502(a)—the words "Caution: New Drug Limited by United States Law to Investigational Use," and similar wording on the labels of a number of the articles, were false and misleading as applied to the articles then in the possession of a repacker and intended for sale, and not then intended for investigational use.

DISPOSITION: 10-3-61. Default—destruction.

6718. Various prescription drugs. (F.D.C. No. 46271. S. Nos. 99-101 R, 99-103/4 R, 99-106/7 R, 99-111 R.)

QUANTITY: Various quantities having an approximate total value of \$400, at Rochester, N.Y., in possession of Monroe Pharmacy.

SHIPPED: On unknown dates, by various drug handlers.

LABEL IN PART: (Some labels) "Physician's Sample - Not To Be Sold," "Physician's Professional Package," "Complimentary," "Physician's Sample," "Sample: Not To Be Sold," or similar wording, and (some labels) "Caution: New Drug - Limited By Federal Law to Investigational Use," or similar wording.

RESULTS OF INVESTIGATION: Some of the articles were prescription drugs, originally intended for use as samples for physicians and others lawfully engaged in dispensing prescription drugs, and bearing the prescription legend, a "complimentary - not to be sold" professional sample legend, and the names and addresses of the manufacturers, packers, or distributors located outside the State of New York.

Some of the articles were prescription drugs originally intended for investigational use and bearing labels containing the words "Caution: New Drug - Limited By Federal Law To Investigational Use," or similar wording, and the names and addresses of manufacturers, packers, or distributors located outside the State of New York.

LBELED: 8-22-61, W. Dist. N.Y.

CHARGE: 502(a)—while held for sale, the words "Physician's Sample - Not To Be Sold," "Physician's Professional Package," "Complimentary," "Physician's Sample," "Sample: Not To Be Sold," or similar wording on the labels of a number of articles, were false and misleading as applied to the articles then in the possession of a repacker and intended for sale, and not then intended for use as "complimentary - not to be sold" samples for physicians and others lawfully engaged in dispensing prescription drugs; and 502(a)—the words "Caution: New Drug - Limited By Federal Law To Investigational Use," and similar wording on the labels of a number of articles, were false and misleading as applied to the articles then in the possession of a repacker and intended for sale, and not then intended for investigational use.

DISPOSITION: 10-13-61. Default—destruction.

6719. Various prescription drugs. (F.D.C. No. 46193. S. Nos. 62-071/6 R.)

QUANTITY: 121,920 tablets, 73 envelopes containing additional tablets, and 200 btls. of liquid, at Overland Park, Kans., in possession of William H. Carlos.

SHIPPED: On unknown dates, from outside the State of Kansas.

LABEL IN PART: "Professional Sample" or "Complimentary."

RESULTS OF INVESTIGATION: The articles were originally intended as physician's samples and were obtained by the holder during the time that he was a drug salesman.

LIBELED: 8-1-61, Dist. Kans.

CHARGE: 502(a)—while held for sale, the words "Professional Sample" and "Complimentary" on the labels were false and misleading as applied to the articles which were intended for sale, and not then intended for use as "complimentary - not for sale" samples for physicians and others lawfully engaged in dispensing prescription drugs.

DISPOSITION: 9-29-61. Default—destruction.

6720. Various prescription drugs. (F.D.C. No. 46076. S. Nos. 69-361/73 R.)

QUANTITY: 6 ctns., having an approximate total value of \$5,000, at Chicago, Ill., in possession of Ballin Drugs, Inc.

SHIPPED: On unknown dates, by various drug handlers.

LABEL IN PART: (Some labels) "Sample Not To Be Sold," "Professional Sample," "Physicians Professional Package," or similar wording.

RESULTS OF INVESTIGATION: Some of the articles were prescription drugs which had been repacked by the dealer, Ballin Drugs, Inc., from physicians' samples into containers to which had been affixed labels bearing a "complimentary - not to be sold" professional sample legend, and the names of manufacturers, packers, or distributors located outside the State of Illinois.

Some of the articles were prescription drugs which had not, at the time the libel was filed, been repacked by the dealer and originally were intended for use as samples for physicians and others lawfully engaged in dispensing prescription drugs and which bore labels containing "complimentary - not to be sold" professional sample legend, and the names of manufacturers, packers, or distributors located outside the State of Illinois.

LIBELED: 7-13-61, N. Dist. Ill.

CHARGE: 502(a)—while held for sale, the statements "Sample Not To Be Sold," "Professional Sample," "Physicians Professional Package," "Physician Sample," and similar wording borne on the labels of said articles, were false and misleading as applied to the articles then in possession of a repacker and intended for sale, and not then intended for use as "complimentary - not for sale" samples for physicians and others lawfully engaged in dispensing prescription drugs.

DISPOSITION: 9-1-61. Default—destruction.

6721. Various prescription drugs. (F.D.C. No. 46038. S. Nos. 84-444/55 R.)

QUANTITY: 62 ctns., having an approximate total value of \$7,000, at Newark, N.J., in possession of Joseph Iannarone, t/a Armory Drug Store.

SHIPPED: On unknown dates, by various drug handlers.

LABEL IN PART: "Professional Sample," "Complimentary Package," "Sample: Not To Be Sold," "Physicians trial package," "Professional Sample: Not to be Sold," "For Clinical Use," and "Complimentary," or similar wording.

RESULTS OF INVESTIGATION: The articles were prescription drugs originally intended for use as samples for physicians and others lawfully engaged in distributing prescription drugs, and bearing labels containing a "complimentary - not to be sold" professional sample legend, and containing also the names and address of manufacturers, packers, or distributors located outside the State of New Jersey.