

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.

LIBELED: 6-23-61, Dist. N.J.

CHARGE: 502(a)—while held for sale, the statements "Professional Sample," "Complimentary Package," "Sample: Not to be sold," "Physicians trial package," "Professional Sample: Not to be Sold," "For Clinical Use," and "Complimentary," and similar wording borne on the labels of the 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: 8-23-61. Default—destruction.

6722. Various prescription drugs. (F.D.C. No. 45961. S. Nos. 69-463/78 R, 69-480/87 R.)

QUANTITY: Unknown quantities at Schiller Park, Ill., in possession of Nathan H. Baier.

SHIPPED: On unknown dates, by various drug handlers.

LABEL IN PART: (Some labels) "Physician's Sample," "Professional Sample," "Clinical Trial Supply," "Physician Sample for Clinical Use," "Sample Not To Be Sold," "Complimentary," "Physicians Professional Package," or "Sample."

RESULTS OF INVESTIGATION: The articles consisted of prescription drugs repacked from physicians' samples into containers having labels bearing brand names indicative of manufacture outside the State of Illinois and quantities of prescription drugs which were not yet repacked, originally intended for use as samples, and still in original sample packages bearing the names and addresses of manufacturers, packers, or distributors outside the State of Illinois.

LIBELED: 6-15-61, N. Dist. Ill.

CHARGE: 502(a)—while held for sale, the statements "Physician's Sample," "Clinical Trial Supply," "Physician Sample for Clinical Use," "Sample Not To Be Sold," "Complimentary," "Physician's Professional Package," "Sample," and similar wording on the labels of the articles of drug were false and misleading as applied to 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; and 502(b) (1)—the repacked articles of drug failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: 8-4-61. Default—destruction.

6723. Prescription X-259 powder. (F.D.C. No. 45784. S. No. 47-375 R.)

QUANTITY: 47 65-gram btls. at Taylor, Mich.

SHIPPED: 2-25-61, from Youngstown, Ohio, by R. P. White Drug Co.

LABEL IN PART: "Prescription X-259 * * * 65 Grams R. P. White Drug Co., Youngstown, Ohio Caution: * * * Directions: * * * Active Ingredients: Bismuth Subsalicylate, Magnesium Oxide, Magnesium Carbonate, Magnesium Trisilicate, Sodium Bicarbonate, Oil of Fennel, Powdered Extract of Belladonna Leaves, 6 Mgm. to Gm."

ACCOMPANYING LABELING: A display placard reading in part "Effective Long-Lasting Relief For Stomach and Duodenal Ulcers."

RESULTS OF INVESTIGATION: The shipper had shipped the display placard with the article and the dealer had used the display placard in conjunction with a display of the article.