posterior pituitary units, whereas each ½ cc. of the article possessed a physiologic activity equivalent to less than 5 U. S. P. posterior pituitary units.

DISPOSITION: June 13, 1949. A plea of guilty having been entered, the court imposed a fine of $3,300.

DRUGS ACTIONABLE BECAUSE OF FAILURE TO BEAR ADEQUATE DIRECTIONS OR WARNING STATEMENTS*

2936. Misbranding of benadryl capsules, sulfathiazole lozenges, and dexedrine sulfate tablets. U. S. v. Curtis R. Watkins (Krest Drug Store). Plea of nolo contendere. Defendant placed on probation for 1 year. (F. D. C. No. 26715. Sample Nos. 27035–K, 27047–K, 27048–K.)

INFORMATION FILED: July 28, 1949, Western District of Arkansas, against Curtis R. Watkins, trading as the Krest Drug Store, Fort Smith, Ark.

INTERSTATE SHIPMENT: On or about March 3 and July 28, 1948, from Kansas City, Mo., and Philadelphia, Pa., of quantities of *benadryl capsules* and *dexedrine sulfate tablets*. The *sulfathiazole lozenges* were manufactured on or about June 3, 1946, at Indianapolis, Ind., and thereafter were shipped in interstate commerce into the State of Arkansas.

LABEL, WHEN SHIPPED: "Kapseals Benadryl * * * 50 Mg. [or "Lozenges Sulfathiazole * * * 5 grs. (0.325 Gm.)" or "5 mg. Each Dexedrine Sulfate Tablets"] Caution: To be dispensed only by or on the prescription of a physician."

ALLEGED VIOLATION: On or about August 31, September 27, and October 4, 1948, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused various quantities of the drugs to be removed from the bottles in which they had been shipped, to be repacked into boxes, and to be sold without a prescription, which acts of the defendants resulted in the repackaged drugs being misbranded. The repackaged drugs were labeled "Krest Drug Store * * * Fort Smith, Ark. * * * Benadryl 50 mg.," "Sulfathizal Tablets Take as Directed," and "Dexedrine Tab."

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), the *sulfathiazole lozenges* and *dexedrine sulfate tablets* failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor; Section 502 (b) (2), all of the repackaged drugs failed to bear labels containing statements of the quantity of the contents; Section 502 (f) (1), the labeling of all of the repackaged drugs failed to bear adequate directions for use since the directions in the labeling of the repackaged *sulfathiazole lozenges* "Take as Directed" were not adequate directions for use and since the other repackaged drugs bore no labeling containing directions for use; and, Section 502 (f) (2), the repackaged *sulfathiazole lozenges* bore no labeling containing warnings against use in those pathological conditions where its use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: September 30, 1949. A plea of nolo contendere having been entered, the court placed the defendant on probation for 1 year.

*See also Nos. 2931–2934.