Further misbranding, Section 502 (d), the capsules contained a chemical derivative of barbituric acid, which derivative has been by the Administrator of the Federal Security Agency, found to be, and by regulations designated as, habit forming; and the repackaged capsules failed to bear a label containing the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), the repackaged capsules bore no labeling containing directions for use.

DISPOSITION: June 12, 1950. Pleas of nolo contendere having been entered, the court imposed a fine of $300 against the corporation and a fine of $100 against each individual.

3126. Misbranding of seconal sodium capsules. U. S. v. Mesirow-Madison Drugs, Inc., and Abe R. Segal. Pleas of nolo contendere. Fine of $250 against each defendant. (F. D. C. No. 28100. Sample Nos. 15871-K to 15873-K, incl.)

INFORMATION FILED: January 17, 1950, Northern District of Illinois, against Mesirow-Madison Drugs, Inc., Chicago, Ill., and Abe R. Segal, president of the corporation.

INTERSTATE SHIPMENT: Between the approximate dates of January 19 and February 11, 1949, from the State of Indiana into the State of Illinois.

ALLEGED VIOLATION: On or about March 25 and April 2 and 5, 1949, while the drug was being held for sale after shipment in interstate commerce, the defendants caused various quantities of the *seconal sodium capsules* to be repacked into unlabeled envelopes and sold without a prescription, which acts of the defendants resulted in the repackaged capsules being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1) and (2), the repackaged capsules failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and a statement of the quantity of the contents.

Further misbranding, Section 502 (d), the capsules contained a chemical derivative of barbituric acid, which derivative has been by the Administrator of the Federal Security Agency, found to be, and by regulations designated as, habit forming; and the repackaged capsules failed to bear a label containing the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), the repackaged capsules bore no labeling containing directions for use.

DISPOSITION: May 18, 1950. Pleas of nolo contendere having been entered, the court imposed a fine of $250 against each defendant.

3127. Misbranding of Gold-N-Medal Foot Balm. U. S. v. 6 Dozen Bottles, etc. (F. D. C. No. 27637. Sample No. 13668-K.)

LIBEL FILED: August 10, 1949, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about July 12, 1949, by the Golden Boy Distributing Co., from Brooklyn, N. Y., via the automobile of Edward N. Golden, the owner of the Golden Boy Distributing Co.

PRODUCT: 6 dozen 12-ounce bottles, 8 dozen 4-ounce bottles, and 2 dozen 2-ounce bottles, of *Gold-N-Medal Foot Balm* at Wilkes-Barre, Pa., in possession of the Golden Boy Distributing Co.

LABEL, IN PART: (Bottle) "The Gold-N-Medal Foot Balm Contains Lanolin, Stearic Acid, Camphor, Menthol, Methyl Salicylate And Eucalyptus Oil."

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: June 12, 1950. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

3128. Adulteration of jalap root, angelica root, orrisroot, rue herb, and coltsfoot leaves. U. S. v. 11 Bags, etc. (F. D. C. No. 28307. Sample Nos. 10074–K to 10079–K, incl.)

LIBEL FILED: November 21, 1949, Southern District of New York.

ALLEGED SHIPMENT: Between July 24, 1946, and February 23, 1949, imported from various foreign countries.

PRODUCT: 11 164-pound bags of *jalap root*, 7 110-pound bags and 38 100-pound bales of *angelica root*, 7 110-pound bags of *orrisroot*, 17 112-pound bales of *rue herb*, and 15 bales, each containing 111 kilos, of *coltsfoot leaves*, at New York, N. Y.

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

DISPOSITION: December 29, 1949, and January 16, 1950. Max Van Pels, New York, N. Y., claimant for the *jalap root*, *orrisroot*, and the 7-bag lot of *angelica root*, and the Meer Corporation, New York, N. Y., claimant for the remainder of the products, having consented to the entry of decrees, judgments of condemnation were entered and the court ordered that the products be released under bond for segregation and destruction of the unfit portions. The segregation operations resulted in the destruction of 2,468 pounds of the products out of a total of 11,855 pounds which were seized.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS

3129. Adulteration and misbranding of Folamin. U. S. v. Injectables Research Corp. Plea of guilty. Fine, $350. (F. D. C. No. 28125. Sample Nos. 15271–K, 41700–K, 42018–K, 42024–K, 43162–K, 58000–K, 58100–K.)

INFORMATION FILED: February 17, 1950, Southern District of Indiana, against the Injectables Research Corp., Indianapolis, Ind.

ALLEGED SHIPMENT: Between the approximate dates of November 1 and December 14, 1948, from the State of Indiana into the States of Illinois and Arizona.

NATURE OF CHARGE: Adulteration, Section 501 (c), the purity and quality of the article fell below that which it purported and was represented to possess. The article purported and was represented to be suitable and appropriate for intramuscular use, which use requires a sterile product, whereas the article was not sterile but was contaminated with viable micro-organisms.