

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1), and (2), the repackaged drugs 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; Section 502 (e) (1), the repackaged drugs failed to bear labels containing the common or usual names of the drugs; Section 502 (f) (1), the repackaged drugs failed to bear labeling containing directions for use; and, Section 502 (f) (2), the repackaged drugs bore no labeling containing warnings against use in those pathological conditions where their use may be dangerous to health, and against unsafe dosage and methods and duration of administration.

DISPOSITION: June 9, 1950. Pleas of nolo contendere having been entered, the court imposed a fine of \$250 against each defendant.

3146. Misbranding of sulfathiazole tablets and Dexedrine sulfate tablets. U. S. v. J. Howard Luna (H. & W. Drug Co.), and Thomas C. Lawson. Pleas of guilty. Fine of \$100 against each defendant. (F. D. C. No. 28126. Sample Nos. 53391-K, 53392-K, 53474-K, 53499-K, 53500-K.)

INFORMATION FILED: March 14, 1950, Northern District of Alabama, against J. Howard Luna, trading as the H. & W. Drug Co., Tuscaloosa, Ala., and against Thomas C. Lawson, a pharmacist employed by Mr. Luna.

INTERSTATE SHIPMENT: From the States of Indiana and Pennsylvania into the State of Alabama, of quantities of *sulfathiazole tablets* and *Dexedrine sulfate tablets*.

ALLEGED VIOLATION: On or about May 13 and June 28, 1949, and while the drugs were being held for sale after shipment in interstate commerce, the defendants, J. Howard Luna and Thomas C. Lawson, jointly caused various quantities of *sulfathiazole tablets* and *Dexedrine sulfate tablets* to be repackaged and sold without a prescription; and on or about June 28, 1949, J. Howard Luna individually caused similar sales of other quantities of the same drugs, which acts of the defendants resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged tablets failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and statements of the quantity of the contents; Section 502 (e) (1), certain quantities of the repackaged tablets failed to bear labels containing the common or usual name of the drug; Section 502 (f) (1), the labeling of the repackaged *Dexedrine sulfate tablets* bore no directions for use; and, Section 502 (f) (2), the repackaged *sulfathiazole tablets* 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: May 8, 1950. Pleas of guilty having been entered, the court imposed a fine of \$100 against each defendant.

3147. Misbranding of Bible Way Tonic, Bible Way Anointing Oil, and drug capsules. U. S. v. Ray McDaniel (Elder R. McDaniel). Plea of guilty. Fine of \$50 and sentence of 1 year in jail on each of 4 counts. Jail sentence suspended and defendant placed on probation for 4 years. (F. D. C. No. 26728. Sample Nos. 1080-K, 19595-K, 19596-K.)

INFORMATION FILED: August 19, 1949, Southern District of Ohio, against Ray McDaniel, trading as Elder R. McDaniel, Columbus, Ohio.