containing the common or usual name of the drug, i. e., sulfathiazole; and, Section 502 (f) (1), the labeling of the repackaged drug failed to bear adequate directions for use of the drug.

DISPOSITION: July 12, 1951. A plea of nolo contendere having been entered the court imposed a fine of $500 on count 1 and sentences of 6 months in jail on each of counts 2 and 3. The jail sentences were suspended.

3565. Misbranding of No. 29 tablets and No. 367 tablets. U. S. v. 10 Jars, etc. (F. D. C. No. 30788. Sample No. 23694–L.)

LIBEL FILED: March 2, 1951, District of Connecticut.

ALLEGED SHIPMENT: On or about October 12, 1950, by the Buffalo Pharmacal Co., from Buffalo, N. Y.

PRODUCT: 10 1,000-tablet jars of *No. 29 tablets* and 10 1,000-tablet jars of *No. 367 tablets* at Madison, Conn., in possession of the Shore Chemical Co.

RESULTS OF INVESTIGATION: The tablets were shipped by the Buffalo Pharmacal Co. to a consignee at Madison, Conn., and were delivered by the consignee to the Shore Chemical Co. In addition to the tablets, there were in possession of the Shore Chemical Co., a stock of labels reading "Arpane Pain Tablets" which were for use in repackaging the *No. 29 tablets* and a stock of labels reading "Arpane Treatment Tablets" which were for use in repackaging the *No. 367 tablets.*

LABEL, IN PART: (Jar) "No. 29 xx 1000 Tablets xx Acetophenetidin Aspirin Caffeine Pink xx Acetophenetidin – 2½ grs. Aspirin – 2½ grs. Caffeine Alkaloid – ¼ gr. xx Warning: Contains Acetophenetidin. Frequent or continued use may be dangerous, causing serious blood disturbances. Do not take more than the dosage recommended. Caution: To be dispensed only by or on the prescription of a physician. Manufactured for Buffalo Pharmacal Company, Inc. Buffalo, N.Y." and "No. 367 xx 1000 Tablets Mixed Treatment CCT xx Mercury Bichloride – 1/64 gr. Potassium Iodide – 2 gr. Ferrous Iodide – 0.436 gr. Arsenous Iodide – 0.019 gr. Mercuric Iodide – 0.019 gr. Powdered Extract Nux Vomica – 0.0315 gr. (Representing Tincture Nux Vomica, 2 min. containing Strychnine .00218 gr.) xx Warning: Contains Arsenic, Mercury, Iodide and Strychnine. Excessive dosage is dangerous. The prolonged use of this preparation or the use of amounts in excess of the prescribed directions may cause serious mercury poisoning. Do not use in tuberculosis or thyroid disease, except under the direction of a physician. Caution: To be dispensed only by or on the prescription of a physician. Manufactured for Buffalo Pharmacal Company, Inc. Buffalo, N. Y."

NATURE OF CHARGE: *No. 29 tablets.* Misbranding Section 502 (f) (1), the labeling of the tablets failed to bear adequate directions for use. The tablets were misbranded in this respect when introduced into and while in interstate commerce.

No. 29 tablets and *No. 367 tablets.* Misbranding, Section 502 (a), the following statements on the jar labels used in repackaging the tablets were false and misleading since the tablets were not effective in the relief or treatment of the conditions stated and implied: (No. 29 – Arpane Pain Tablets) "* * * for Relief in Arthritis and Rheumatism * * * This preparation combines the best known chemicals for the relief of suffering due to Arthritis and Chronic Rheumatism by lowering the temperature, lessening the swelling, reducing acidity and stimulating the blood vessels * * *" and (No. 367 – Arpane Treatment Tablets) "Treatment for Arthritis and

Rheumatism * * * This preparation combines the best known chemicals for the treatment of Arthritis and Rheumatism. It aids in building up blood cells, improving the quality of the blood, absorbing inflammatory matter, increasing stomach functions, stimulating intestinal muscles, aiding digestion, improving the appetite and reducing the need for sedatives * * *." The tablets were misbranded in this respect while held for sale after shipment in interstate commerce.

DISPOSITION: September 18, 1951. Default decree of condemnation and destruction.

3566. Misbranding of Dr. Means' Pills. U. S. v. 20 Dozen Boxes * * *. (F. D. C. No. 29091. Sample No. 13717-K.)

LIBEL FILED: May 1, 1950, Middle District of Pennsylvania.

ALLEGED SHIPMENT: On or about June 1, 1949, from Buffalo, N. Y.

PRODUCT: 20 dozen boxes, each containing 30 pills, of *Dr. Means' Pills* at Lebanon, Pa., in possession of the Dr. W. B. Means Co. The pills were repackaged into boxes by the consignee from a bulk shipment.

LABEL, IN PART: "Dr. Means' Pills Each pill contains Strychnine Sulphate 1/200 gr., Acetanilid 1½ gr., with Caffeine Alkaloid and Camphor."

NATURE OF CHARGE: Misbranding, Section 502 (f) (2), the labeling of the article failed to bear adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration, in such manner and form, as are necessary for the protection of users since the article contained acetanilid and strychnine, and its labeling failed to warn that frequent or continued use may be dangerous, causing serious blood disturbances, anemia, collapse, or a dependence on the drug; that not more than the dose recommended should be taken; that the article should not be given to children; and that its use by elderly persons may be dangerous. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: October 18, 1951. The Dr. W. B. Means Co., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

3567. Misbranding of Halox Therapeutic Generator. U. S. v. 22 Devices * * *. Tried to the court. Decree of condemnation. (F. D. C. No. 24848. Sample No. 31725-K.)

LIBEL FILED: May 20, 1948, Southern District of California.

ALLEGED SHIPMENT: On or about April 30, May 9 and 14, July 24, and December 3, 1947, by the Halox Therapeutic Generator Co., from Central, N. Mex.

PRODUCT: 22 devices known as *Halox Therapeutic Generator* at Los Angeles, Calif. Examination showed that the device was designed to produce chlorine gas by means of electrolysis.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use in the conditions for which it was intended, and it failed also to bear adequate directions for use by reason of its failure to state all of the disease conditions for which the article was intended, namely, arthritis, sinusitis, hay fever, bronchitis, neuritis, sciatica, rheumatism, asthma, and nervous disorders.