Further misbranding, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use; and Section 502 (e) (2), the label of the *capsules of Seconal Sodium and Amytal Sodium* failed to bear the common or usual name of each active ingredient of the capsules.

DISPOSITION: January 13, 1953. A plea of nolo contendere having been entered by the corporation and a plea of guilty by the individual defendant, the court imposed a fine of $250 against the corporation and a fine of $50 against the individual.

3925. Misbranding of amphetamine sulfate tablets and capsules of Seconal Sodium and Amytal Sodium. U. S. v. Frank A. Harlan (Harlan Drugs). Plea of nolo contendere. Fine of $750, plus costs. (F. D. C. No. 32725. Sample Nos. 18807–L, 18812–L, 18818–L, 18825–L, 18826–L.)

INFORMATION FILED: September 16, 1952, Southern District of Iowa, against Frank A. Harlan, trading as Harlan Drugs, Des Moines, Iowa.

ALLEGED VIOLATION: On or about October 24 and November 2 and 13, 1951, while a number of *amphetamine sulfate tablets* and *capsules of Seconal Sodium and Amytal Sodium* were being held for sale at Harlan Drugs, after shipment in interstate commerce, the defendant caused various quantities of such drugs to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), the repackaged drugs, with the exception of a portion of the *capsules of Seconal Sodium and Amytal Sodium*, 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 an accurate statement of the quantity of the contents; and, Section 502 (f) (1), all of the repackaged drugs failed to bear labeling bearing adequate directions for use.

Further misbranding, Section 502 (d), the repackaged *capsules of Seconal Sodium and Amytal Sodium* contained chemical derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and the label of the repackaged capsules failed to bear the name, and quantity or proportion of each such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (2), the repackaged *amphetamine sulfate tablets* failed to bear a label containing the common or usual name of each active ingredient of the drug.

DISPOSITION: January 23, 1953. A plea of nolo contendere having been entered by the defendant, the court imposed a fine of $750, plus costs.

3926. Misbranding of methyltestosterone tablets, phenobarbital tablets, dextro-amphetamine sulfate tablets, and Seconal Sodium capsules. U. S. v. Roy T. Walker (Walker Drug Store). Plea of nolo contendere. Fine of $500. (F. D. C. No. 33707. Sample Nos. 15432–L, 15434–L, 15436–L, 15438–L, 15442–L.)

INFORMATION FILED: November 7, 1952, Northern District of Oklahoma, against Roy T. Walker, trading as the Walker Drug Store, Miami, Okla.

ALLEGED VIOLATION: On or about October 8, and 27, 1951, while a number of *methyltestosterone tablets, phenobarbital tablets, dextro-amphetamine sulfate tablets*, and *Seconal Sodium capsules* were being held for sale at the Walker

Drug Store, after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (1), all of the repackaged drugs, with the exception of a portion of the *phenobarbital 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 an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of all of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (d), the *phenobarbital tablets* and *Seconal Sodium capsules* contained chemical derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and such repackaged drugs failed to bear labels containing the name, and quantity or proportion of each such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (2), the *methyltestosterone tablets* and *dextro-amphetamine sulfate tablets* were fabricated from two or more ingredients, and they failed to bear labels containing the common or usual name of each active ingredient.

DISPOSITION: January 23, 1953. A plea of nolo contendere having been entered by the defendant, the court imposed a fine of $500.

3927. Misbranding of pentobarbital sodium capsules and methyltestosterone tablets. U. S. v. Martin A. Gluckman (Martin's Drugs). Plea of nolo contendere. Fine of $900, plus costs. (F. D. C. No. 33725. Sample Nos. 15185–L to 15190–L, incl.)

INFORMATION FILED: March 19, 1953, Southern District of Iowa, against Martin A. Gluckman, trading as Martin's Drugs, Council Bluffs, Iowa.

ALLEGED VIOLATION: On or about February 15, 21, and 26, 1952, while a number of *pentobarbital sodium capsules* and *methyltestosterone tablets* were being held for sale at Martin's Drugs, after shipment in interstate commerce, the defendant caused various quantities of such drugs to be repacked and dispensed without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Section 502 (b) (2), the repackaged drugs failed to bear a label containing an accurate statement of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (b) (1), the repackaged *methyltestosterone tablets* failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor.

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

Further misbranding, Section 502 (e) (1), a portion of the repackaged *methylthestosterone tablets* failed to bear a label containing the common or usual name of the tablets.