

4083. Misbranding of dextro-amphetamine sulfate tablets, methyltestosterone tablets, and tablets containing a mixture of sulfadiazine and sulfathiazole. U. S. v. Times Square Drug and Albert Kline. Pleas of guilty. Fine of \$150 against each defendant. (F. D. C. No. 34334. Sample Nos. 36096-L, 36204-L, 36227-L.)

INFORMATION FILED: February 20, 1953, Northern District of Ohio, against Times Square Drug, a partnership, Cleveland, Ohio, and Albert Kline, a pharmacist for the partnership.

NATURE OF CHARGE: On or about April 10, 1952, while a number of *tablets containing a mixture of sulfadiazine and sulfathiazole* were being held for sale at Times Square Drug after shipment in interstate commerce, the defendants caused various quantities of the tablets to be repacked and dispensed without a prescription, which acts resulted in the repackaged tablets being misbranded as follows: Section 502 (b) (1) and (2), the repackaged tablets failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 502 (e) (2), the label of the repackaged tablets failed to bear the common or usual name of each active ingredient of the tablets; and, Section 502 (f) (1) and (2), the labeling of the repackaged tablets failed to bear adequate directions for use and adequate 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, in such manner and form, as are necessary for the protection of the users.

On or about May 15 and June 11, 1952, while a number of *dextro-amphetamine sulfate tablets* and *methyltestosterone tablets* were being held for sale at Times Square Drug after shipment in interstate commerce, the defendants caused quantities of the drugs to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. This act of dispensing was contrary to the provisions of Section 503 (b) (1) and resulted in the dispensed drugs being misbranded.

DISPOSITION: March 13, 1953. Pleas of guilty having been entered, the court fined each defendant \$150.

DRUGS IN VIOLATION OF PRESCRIPTION LABELING REQUIREMENTS

4084. Misbranding of homeopathic drugs. U. S. v. Various Quantities, etc. (F. D. C. No. 34103. Sample Nos. 64024-L to 64054-L, incl.)

LABEL FILED: November 4, 1952, Western District of Washington.

ALLEGED SHIPMENT: On various dates, the Kansas City Homeopathic Pharmacy shipped from Kansas City, Mo., a number of drugs in tablet form in 5-pound packages. In addition, there were shipped by another firm, on July 25, 1952, and on other dates, from St. Louis, Mo., a number of drugs in powder form in labeled bulk containers. There was shipped also from a point outside of the State of Washington, on an unknown date, a quantity of a drug in powder form in an unlabeled bulk container.

PRODUCT: Various quantities of various homeopathic drugs in tablet form, some in 5-pound bulk packages in which they were shipped, and some in bottles of 400 tablets each into which the tablets were repacked from the bulk packages at destination; various quantities of drugs in powder form in labeled bulk containers and in retail-sized containers used in repacking such drugs; and a