

**DRUGS REQUIRING CERTIFICATE OR RELEASE, FOR WHICH NONE
HAD BEEN ISSUED**

4583. P. B. S. C. drug and Anti-Bacterial Root Canal Cement. (F. D. C. No. 33776. S. Nos. 91-830 K, 23-140 L, 23-485 L.)

INFORMATION FILED: 7-9-53, S. Dist. N. Y., against Sultan's Pharmacy, Inc., New York, N. Y., and John O. Cramer, president.

SHIPPED: *P. B. S. C. drug* on 11-20-50 and *Anti-Bacterial Root Canal Cement* on 1-7-52 and 2-12-52, from New York to New Jersey.

LABEL IN PART: (Box) "P. B. S. C." and "Cohen-Luks Anti-Bacterial Root Canal Cement Contains: Aureomycin, Silver, Rosin ZnO, with a Balsamic-Eucalyptus Comp."

CHARGE: *P. B. S. C. drug.* 502 (e) (2)—when shipped its label bore no statement of the active ingredients; and, 502 (1)—it was a drug composed in part of penicillin, and it was not from a batch with respect to which a certificate or a release had been issued pursuant to the law.

Anti-Bacterial Root Canal Cement (1-7-52 shipment). 501 (c)—its strength differed from that which it was represented to possess since it did not contain aureomycin as represented; and, 502 (a)—the label statement "Contains aureomycin" was false and misleading.

Anti-Bacterial Root Canal Cement (2-12-52 shipment). 502 (1)—it was represented as a drug composed partly of aureomycin, and it was not from a batch with respect to which a certificate or a release had been issued pursuant to the law.

P. B. S. C. drug and both shipments of *Anti-Bacterial Root Canal Cement.* 502 (b) (2)—the labels of the drugs bore no statement of the quantity of contents.

PLEA: Guilty by corporation to all 4 counts of information and by Cramer to 3 counts relating to *Anti-Bacterial Root Canal Cement.*

DISPOSITION: 2-10-55. Corporation fined \$400; Cramer given sentence of 6 months in jail, which was suspended, and placed on probation for 6 months.

**DRUGS AND DEVICES ACTIONABLE BECAUSE OF FAILURE TO BEAR
ADEQUATE DIRECTIONS OR WARNING STATEMENTS***

4584. Lipitrons capsules and Super Lipitrons capsules. (F. D. C. No. 33791. S. Nos. 14-755 L, 15-706 L, 30-995 L.)

INFORMATION FILED: 8-6-53, Dist. Nebr., against Vitamin Industries, Inc., Omaha, Nebr., and Joseph L. Zweiback, president.

SHIPPED: Between 8-3-51 and 1-11-52, from Omaha, Nebr., to Peoria, Ill., and Topeka, Kans.

CHARGE: The articles were charged to be misbranded under 502 (a) and 502 (f) (1). The nature of such charges is set forth in the court's opinion quoted below.

PLEA: Not guilty.

DISPOSITION: The case was tried before the court without a jury on 2-22-54, and on 3-31-55, the court handed down the following memorandum opinion and decision in which the defendants were found guilty and fined:

*See also No. 4581.