DRUGS IN VIOLATION OF PRESCRIPTION LABELING REQUIREMENTS*

5226. Gray, white, and pink tablets containing amphetamine sulfate, thyroid, aloin, and phenobarbital. (F. D. C. No. 39836. S. Nos. 24-971/9 M, 33-532 M.)

INFORMATION FILED: 4-12-57, W. Dist. Okla., against S. Kloster Powell, Lawton, Okla.

SHIPPED: *Gray, white, and pink tablets containing amphetamine sulfate, thyroid, aloin, and phenobarbital,* between 6-13-56 and 8-18-56, from Oklahoma to Missouri and Washington.

CHARGE: 502 (b) (1) and (2)—the 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 contents; 502 (e) (2)—the tablets failed to bear a label containing the common or usual name of each active ingredient; and 502 (f) (1) and (2)—the labeling of the tablets failed to bear adequate directions for use and adequate warnings against use; and 503 (b) (4)—the tablets were drugs subject to 503 (b) (1), and their labels failed to bear the statement "Caution: Federal law prohibits dispensing without prescription."

PLEA: Nolo contendere.

DISPOSITION: 4-24-57. Defendant fined $500 and placed on probation for 5 years.

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

5227. Cathartic compound pills. (F. D. C. No. 39690. S. No. 37-307 M.)

QUANTITY: 86 cases, each containing 50 1,000-pill btls., at Brooklyn, N. Y.

SHIPPED: 1-5-55, from Edgewater, N. J.

LIBELED: 11-16-56, E. Dist. N. Y.

CHARGE: 502 (a)—the label of the article, while held for sale, bore the statement, "Caution: To be used only by or on the prescription of a physician," which was false and misleading since the statement represented that the article was restricted to prescription sale, when such was not the case; 502 (f) (1)—the labeling of the article failed to bear adequate directions for use, and it was not entitled to any exemption from that requirement; and 502 (f) (2)—the article was essentially a laxative, and its labeling failed to warn that the article should not be taken when severe abdominal pains or other symptoms of appendicitis are present.

DISPOSITION: 6-18-57. Consent—claimed by Chemical Commodities, Inc., Olathe, Kans., and relabeled.

5228. Epsom salt. (F. D. C. No. 39850. S. No. 50-335 M.)

QUANTITY: 59 cases, 24 1-lb. boxes each, 40 cases, 24 ½-lb. boxes each, and 21 1-lb. boxes, at Boston, Mass., in possession of D & L Slade Co.

SHIPPED: 9-28-56, from Midland, Mich.

LABEL IN PART: (Box) "Slade's U. S. P. Epsom Salts."

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*See also No. 5221.

*See also Nos. 5221-5223, 5226.