

**DRUG ACTIONABLE BECAUSE OF POTENTIAL DANGER WHEN USED
ACCORDING TO DIRECTIONS**

3641. Misbranding of Gattis worm oil. U. S. v. 9 Cases * * *. (F. D. C. No. 29057. Sample No. 82206-K.)

LIBEL FILED: On or about April 13, 1950, Southern District of West Virginia.

ALLEGED SHIPMENT: On or about March 10, 1950, by the Gattis Chemical Co., from Nashville, Tenn.

PRODUCT: 9 cases, each containing 12 1-ounce bottles, of *Gattis worm oil* at Williamson, W. Va.

LABEL, IN PART: "Gattis' Worm Oil Each Fluid Ounce Contains: 22 Mins. Oil Worm Seed, 12 Mins. Chloroform, 421 Mins. Castor Oil, Turpentine, Combined with Aromatics. Directions: Children 2 to 5 years old, one-half teaspoonful; 5 to 10 years old, one teaspoonful. Adults, one and a half teaspoonfuls. One dose morning and night; (May be given for 2 or 3 days if necessary.)"

NATURE OF CHARGE: Misbranding, Section 502 (j), the article was dangerous to health when used in the dosage and with the frequency and duration prescribed, recommended, or suggested in its labeling.

DISPOSITION: May 8, 1950. Default decree of condemnation and destruction.

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

3642. Misbranding of pentobarbital sodium capsules, Seconal Sodium capsules, sulfadiazine tablets, and racemic amphetamine sulfate (Benzedrine Sulfate) tablets. U. S. v. Edmond V. Bragard (Bragard Pharmacy). Plea of guilty. Defendant placed on probation for 2 years. (F. D. C. No. 31275. Sample Nos. 79358-K, 79361-K, 79369-K, 79373-K, 79376-K, 79395-K, 79399-K, 80426-K, 80427-K, 80447-K, 80574-K, 80578-K, 80583-K, 80587-K.)

INFORMATION FILED: December 10, 1951, District of Rhode Island, against Edmond V. Bragard, trading as Bragard Pharmacy, Woonsocket, R. I.

INTERSTATE SHIPMENT: From the States of Massachusetts, Indiana, and Pennsylvania, into the State of Rhode Island, of quantities of *pentobarbital sodium capsules, Seconal Sodium capsules, sulfadiazine tablets, and racemic amphetamine sulfate (Benzedrine Sulfate) tablets.*

ALLEGED VIOLATION: On or about September 2, 1949, and August 8, 24, and 31, September 18, October 17, 23, 24, 30, and 31, and November 3, 8, and 9, 1950, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and sold 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 labels containing accurate statements of the quantity of the contents; Section 502 (f) (1), the labeling of the repackaged *pentobarbital sodium capsules, Seconal Sodium capsules, and racemic amphetamine sulfate (Benzedrine Sulfate) tablets* failed to bear adequate directions for use;