

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 labels 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 *methamphetamine hydrochloride tablets* failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor; and, Section 502 (e) (2), the repackaged *methamphetamine hydrochloride tablets* failed to bear a label containing the common or usual name of each active ingredient of the drug.

Further misbranding, Section 502 (f) (2), the repackaged *sulfadiazine tablets* and *methamphetamine hydrochloride tablets* failed to bear 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 users.

**DISPOSITION:** April 23, 1953. The defendant having entered a plea of nolo contendere, the court fined him \$75.

**4024. Misbranding of dextro-amphetamine sulfate tablets, amphetamine sulfate tablets, and capsules containing a mixture of Seconal Sodium and Amytal Sodium. U. S. v. Marshall W. Walton (Walton's Drug Store). Plea of guilty. Fine, \$150. (F. D. C. No. 34349. Sample Nos. 31019-L, 34330-L, 34373-L, 34483-L, 34484-L, 34488-L.)**

**INFORMATION FILED:** February 21, 1953, Western District of Missouri, against Marshall W. Walton, trading as Walton's Drug Store, Springfield, Mo.

**ALLEGED VIOLATION:** On or about March 17, 18, and 27, 1952, while a number of *dextro-amphetamine sulfate tablets, amphetamine sulfate tablets, and capsules containing a mixture of Seconal Sodium and Amytal Sodium* were being held for sale at Walton's 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, Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and 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 (d), the repackaged *capsules containing a mixture 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 repackaged capsules failed to bear a label containing the name, and quantity or proportion of such derivatives and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (2), the repackaged *dextro-amphetamine sulfate tablets* and *amphetamine sulfate tablets* failed to bear labels containing the common or usual name of each active ingredient of the drugs.

**DISPOSITION:** March 4, 1953. The defendant having entered a plea of guilty, the court fined him \$150.