

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

**4141. Misbranding of Seconal Sodium capsules, amphetamine hydrochloride tablets, dextro-amphetamine sulfate tablets, and pentobarbital sodium capsules.** U. S. v. Charles J. Bridgman (Bridgman Drug), and Otto A. Greiser. Pleas of nolo contendere. Defendant Bridgman fined \$900 and Defendant Greiser placed on probation for 6 months. (F. D. C. No. 33726. Sample Nos. 35050-L, 35054-L, 35414-L, 35415-L, 35422-L, 35423-L.)

**INFORMATION FILED:** May 4, 1953, Southern District of Iowa, against Charles J. Bridgman, trading as Bridgman Drug, Des Moines, Iowa, and against Otto A. Greiser, an employee of Mr. Bridgman.

**ALLEGED VIOLATION:** On or about November 19 and 26 and December 4 and 5, 1951, while a number of *Seconal Sodium capsules, amphetamine hydrochloride tablets, dextro-amphetamine sulfate tablets, and pentobarbital sodium capsules* were being held for sale at Bridgman Drug, after shipment in interstate commerce, the defendants caused various quantities of such drugs to 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) (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 *Seconal Sodium capsules* and *pentobarbital sodium capsules* contained chemical derivatives of barbituric acid, which derivatives have been found to be, and by regulations designated as, habit forming; and such repackaged drugs failed to bear labels containing the name, and quantity or proportion of each such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (2), the labels of the repackaged *amphetamine hydrochloride tablets* and *dextro-amphetamine sulfate tablets* failed to bear the common or usual name of each active ingredient of such drugs; and, Section 502 (f) (2), the labeling of the repackaged *amphetamine 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:** May 4, 1953. The defendants having entered pleas of nolo contendere, the court fined Defendant Bridgman \$900 and placed Defendant Greiser on probation for 6 months.

**4142. Misbranding of methyltestosterone tablets, phenobarbital tablets, and amphetamine sulfate tablets.** U. S. v. Goldberg Drug Store, Edward J. Rubas, and John Tarczewski. Pleas of guilty. Fine of \$500 against store and fine of \$250 against each individual, plus costs. (F. D. C. No. 33843. Sample Nos. 9448-L, 33531-L, 33537-L to 33539-L, incl., 33543-L to 33545-L, incl.)

\*See also No. 4157 (veterinary preparation).