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

4361. Misbranding of penicillin G potassium tablets. U. S. v. 39 Bottles, etc. (F. D. C. No. 36452. Sample Nos. 52959–L, 52960–L.)

LIBEL FILED: March 16, 1954, Eastern District of New York.

ALLEGED SHIPMENT: On or about November 20, 1953, from Terre Haute, Ind.

PRODUCT: *Penicillin G potassium tablets.* 39 100-tablet bottles and 60 1,000-tablet bottles of 50,000-unit tablets and 19 100-tablet bottles and 35 1,000-tablet bottles of 100,000-unit tablets at Woodside, N. Y., in possession of Henry Schein Physicians & Hospital Supplies.

RESULTS OF INVESTIGATION: The tablets were shipped in bulk from Terre Haute, Ind., and upon their receipt by the consignee, were repackaged and relabeled.

LABEL, IN PART: (Bottle) "Buffered Penicillin Tablets Crystalline G Potassium."

NATURE OF CHARGE: Misbranding, Section 502 (1), the article purported to be and was represented as a drug composed wholly or partly of a kind of penicillin, and it was not from a batch with respect to which a certificate or release had been issued pursuant to the law. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: April 19, 1954. Henry Schein, Woodside, N. Y., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for the purpose of obtaining certification from the Food and Drug Administration and for relabeling the product.

4362. Misbranding of penicillin-dihydrostreptomycin bougies. U. S. v. 65 Vials, etc. (F. D. C. No. 36176. Sample Nos. 83393–L, 83394–L.)

LIBEL FILED: December 8, 1953, District of Minnesota.

ALLEGED SHIPMENT: On or about January 26 and September 22, 1953, by Veta-Vite Products, Inc., from Buffalo, N. Y.

PRODUCT: *Penicillin-dihydrostreptomycin bougies.* 65 vials and 11 packages, each vial and package containing 25 bougies, at Minneapolis, Minn.

NATURE OF CHARGE: Misbranding, Section 502 (1), the article purported to be and was represented as a drug composed partly of penicillin and streptomycin, and it was not from a batch with respect to which a certificate or release had been issued pursuant to Section 507; and no such certificate or release was in effect with respect to the article.

DISPOSITION: March 8, 1954. Default decree of destruction.

VIOLATIVE SALES OF PRESCRIPTION DRUGS

4363. Misbranding of penicillin G potassium, dihydrostreptomycin sulfate, penicillin G potassium tablets, secobarbital sodium capsules, and tablets containing a mixture of sulfathiazole, sulfadiazine, and sulfamerazine. U. S. v. Orville Jackson (Eagle Drug Store). Plea of nolo contendere. Sentence of 1 hour's imprisonment suspended. (F. D. C. No. 35760. Sample Nos. 76131–L to 76135–L, incl.)

INFORMATION FILED: January 26, 1954, District of Idaho, against Orville Jackson, trading as Eagle Drug Store, Eagle, Idaho.