4925. Pentobarbital sodium capsules. (F. D. C. No. 38518. S. No. 24-228 M.)

INFORMATION FILED: 12-13-55, N. Dist. Ill., against Louis F. Sladky, Chicago, Ill.

SHIPPED: 10-29-55, from Illinois to California.

CHARGE: 502 (b) (1) and (2)—when shipped, the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and a statement of the quantity of contents; 502 (d)—the article contained a chemical derivative of barbituric acid, which has been designated by regulations as habit forming, and the label of the article failed to bear the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming"; and 502 (f) (1)—the labeling of the article bore no directions for use.

PLEA: Guilty.

DISPOSITION: 1-10-56. $500 fine, plus costs.

4926. Rauwolfia. (F. D. C. No. 37523. S. No. 4-305 M.)

QUANTITY: 4 drums of *No. 40 powdered Malabar Rauwolfia* root and 2,400 btls., 100 tablets each, of *Maxitate with Rauwolfia Comp.* at Rochester, N. Y., in possession of R. J. Strasenburgh Co.

SHIPPED: The powdered *Rauwolfia* was shipped in bulk drums on 11-19-53, by S. B. Penick & Co., New York, N. Y., from its New Jersey establishment.

LABEL IN PART: (Drum) "Grd. No. 40 Malabar Rauwolfia Root * * * Caution—For Manufacturing Processing Or Repacking * * * S. B. Penick & Co. New York Chicago"; (btl.) "Maxitate with Rauwolfia Comp. * * * Rauwolfia (whole root) 30 Mg. * * * R. J. Strasenburgh Co., Rochester, N. Y."

RESULTS OF INVESTIGATION: Upon receipt of the shipment of the powder, the consignee, who had an effective new drug application for drugs containing powdered *Rauwolfia serpentina* root, manufactured the *Maxitate with Rauwolfia Comp. tablets* from a portion of such powder. Examination showed that the article in powder and tablet form consisted in whole or in part of a species of *Rauwolfia* other than *Rauwolfia serpentina* and for which there was not an effective new drug application.

LIBELED: 12-10-54, W. Dist. N. Y.

CHARGE: 502 (f) (1)—the labeling of the article, while held for sale, failed to bear adequate directions for use, and the article was not entitled to any exemption from that requirement; and 502 (i) (3)—the article was a drug which was not *Rauwolfia serpentina* and was offered for sale under the name of another drug, *Rauwolfia serpentina.*

DISPOSITION: 3-21-55. Consent—claimed by R. J. Strasenburgh Co., Rochester, N. Y. The decree condemned the article and provided that it be released to the custody of the claimant for further investigation, with a view toward making application therefor as a new drug. The decree specified that the claimant could segregate and use no more than 10 lbs. of the powdered drug and 5,000 tablets for such investigational purposes, with the balance to be held by the claimant under bond until a new drug application regarding the article became effective.

After the claimant had found that it was impractical to continue its investigation, a stipulation was entered providing for the destruction of the remainder of the article. On 10-7-55, pursuant to the stipulation, an order was entered providing for the destruction of the drug.