

entitled to any exemption from such requirement; and 503 (b) (4)—all of the articles were drugs subject to 503 (b) (1), and their labels failed to bear the statement "Caution: Federal law prohibits dispensing without prescription"; and 505 (a)—the repackaged and relabeled *meticortelone tablets* were a new drug which may not be introduced into interstate commerce since an application filed pursuant to law was not effective with respect to the drug.

DISPOSITION: 11-26-56. Default—destruction.

DRUG FOR VETERINARY USE

5142. Acthone gel (veterinary). (F. D. C. No. 39929. S. No. 58-623 M.)

QUANTITY: 97 5-cc. vials at Denver, Colo.

SHIPPED: Between 9-1-56 and 9-6-56, from San Francisco, Calif., by Borden Laboratory.

LABEL IN PART: (Vial) "Borden Acthone (Veterinary) Gel * * * 40 U. S. P. Corticotropin Units."

LIBELED: 1-30-57, Dist. Colo.

CHARGE: 505 (a)—the article was a new drug which may not be introduced into interstate commerce since an application filed pursuant to law was not effective with respect to the drug.

DISPOSITION: 3-22-57. Default—destruction.

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

5143. Herb tonics, cold salve, and laxative tablets. (F. D. C. No. 38515. S. Nos. 14-410/1 M, 14-414 M, 14-417 M, 14-426 M, 14-470/3 M, 14-581 M, 30-148 M.)

INDICTMENT RETURNED: 3-8-56, E. Dist. Ill., against William H. Cruz, t/a East Side Herb.Co., East St. Louis, Ill.

ALLEGED VIOLATION: Between 2-23-55 and 8-1-55, the defendant caused to be introduced into interstate commerce at East St. Louis, Ill., for delivery into the State of Missouri, quantities of various drugs which were labeled and misbranded as described below.

On 5-18-55, the defendant unlawfully refused entry and inspection of his establishment at East St. Louis, Ill., after having been presented by inspectors of the Food and Drug Administration with appropriate credentials and a written notice at a reasonable time, in accordance with the provisions of Section 704.

LABEL IN PART: "Herb Tonic Formula No. 1 Active Ingredients Punich, Granatum, and Pest Root"; "Herb Tonic Formula No. 3 Active Ingredients Quaking Aspen, Pride Weed, and Lucerne"; "Herb Tonic Formula No. 4 Active Ingredients Prickly Ash, Tansy Herb, Button Bush Bark and Elder Bark"; "Cold Salve" (examination showed that it contained, chiefly, petrolatum and smaller amounts of menthol and eucalyptol); and "Tablets Formula No. 556 Active Ingredients: Cascarin one-fourth grain, Aloin one-fourth grain, Podophyllin one-sixth grain, Extr. Belladonna one-eighth grain, Gingerine one-sixteenth grain. Distributed by Indiana Botanic Gardens, Hammond, Indiana."

*See also No. 5141.