

of \$200, plus costs. (F. D. C. No. 29988. Sample Nos. 52072-K, 52100-K, 72227-K, 72232-K, 72236-K, 72769-K.)

**INFORMATION FILED:** November 6, 1950, Northern District of Ohio, against Oliver W. Anderson, trading as Wyre's Pharmacy, Barberton, Ohio.

**INTERSTATE SHIPMENT:** From the States of Pennsylvania and Indiana into the State of Ohio, of quantities of *Benzedrine Sulfate tablets* and *methyltestosterone tablets*.

**ALLEGED VIOLATION:** On or about October 28 and December 29, 1949, and February 21 and March 11, 15, and 16, 1950, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused quantities of the drugs to be repacked and sold without a 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 statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use in that the directions on the labeling of the *Benzedrine Sulfate tablets*, namely, "As directed" and " $\frac{3}{4}$  tab before breakfast  $\frac{1}{2}$  tab before Lunch  $\frac{1}{4}$  tab before Dinner," were not adequate directions for use, and in that the labeling of the *methyltestosterone tablets* bore no directions for use.

Further misbranding, Section 502 (e) (1), the repackaged *Benzedrine Sulfate tablets* failed to bear a label containing the common or usual name of the drug.

**DISPOSITION:** February 26, 1951. A plea of guilty having been entered, the court imposed a fine of \$200, plus costs, against the defendant.

**3364. Misbranding of Benzedrine Sulfate tablets and methyltestosterone linguets. U. S. v. Rexford Parker (Rex Parker's Pharmacy). Plea of guilty. Fine, \$300.** (F. D. C. No. 29997. Sample Nos. 72124-K, 72774-K, 72921-K.)

**INFORMATION FILED:** On or about November 15, 1950, Eastern District of Kentucky, against Rexford Parker, trading as Rex Parker's Pharmacy, Maysville, Ky.

**INTERSTATE SHIPMENT:** From the State of Ohio into the State of Kentucky, of quantities of *Benzedrine Sulfate tablets* and *methyltestosterone linguets*.

**ALLEGED VIOLATION:** On or about February 9, March 28, and April 4, 1950, while the drugs were being held for sale after shipment in interstate commerce, the defendant caused various quantities of the drugs to be repacked and sold without a 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 a 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.

**DISPOSITION:** March 12, 1951. A plea of guilty having been entered, the court imposed a fine of \$300 against the defendant.