DRUGS IN VIOLATION OF PRESCRIPTION LABELING REQUIREMENTS

6443. Dextro-amphetamine sulfate tablets, pentobarbital sodium capsules, and dextro-amphetamine sulfate with amobarbital tablets and capsules. (F.D.C. No. 45323. S. Nos. 29-662/4 R, 53-597 R, 53-600 R.)

QUANTITY: 5 1,000-tablet btls. of dextro-amphetamine sulfate with amobarbital, 3 1,000-tablet btls. and 7 200-tablet bags of dextro-amphetamine sulfate, 1 700-capsule btl. of pentobarbital sodium, and 1 btl., containing 541 capsules of dextro-amphetamine sulfate with amobarbital, at Minneapolis, Minn., in possession of Cedar Drug Co.

SHIPPED: On unknown dates, from outside the State of Minnesota.

LIBELED: 1-4-61, Dist. Minn.

CHARGE: 502(b)—while held for sale, all of the articles failed to bear a label containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents; 502(e)(1)—the label of the 7-bag lot failed to bear the common or usual name of the drug; 502(f)(1)—the label of the 7-bag lot failed to bear adequate directions for use; and 503(b)(4)—the label of the 7-bag lot failed to bear the statement "Caution: Federal law prohibits dispensing without prescription."

DISPOSITION: 2-16-61. Default—destruction.

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

6444. Food supplements. (F.D.C. No. 44330. S. Nos. 52-117/8 P.)

INFORMATION FILED: 7-20-60, Dist. Minn., against Arthur W. Stemper, t/a A. & N. Stemper Co., and Mrs. Arthur W. Stemper.

ALLEGED VIOLATION: On 7-16-59, in a sales talk at Minneapolis, Minn., the defendants orally represented the articles to persons there present to be an effective treatment for the diseases, symptoms, and conditions set forth below, which act resulted in the articles being misbranded while held for sale after shipment in interstate commerce.

LABEL IN PART: "A Complete Balanced Food Supplement NUTRITION-ALL Proteins—Minerals—Vitamins," and "NUTRITION-ALL High protein."

CHARGE: 502(f)(1)—the labeling of the articles failed to bear adequate directions for use in the treatment of the diseases, symptoms, and conditions for which the articles were intended, namely, low and high blood pressure, bad nerves, bursitis, cancer, poor eyesight, rare blood condition, diabetes, and arthritis.

PLEA: Guilty.

DISPOSITION: 11-14-60. Each defendant was fined $100 and placed on probation for 2 years.

6445. Nutrin vitamin and mineral capsules. (F.D.C. No. 44344. S. No. 66-601 P.)

INFORMATION FILED: 7-26-60, W. Dist. Pa., against Chester H. Nairne, t/a Chester H. Nairne Co., Niles, Ohio.

ALLEGED VIOLATION: Between 10-22-59 and 10-29-59, the defendant, in the course of sales talks at Pittsburgh, Pa., made oral representations holding

*See also Nos. 6441, 6443.