

5434. (F.D.C. No. 40456. S. Nos. 39-572 M, 77-568 M.)

INFORMATION FILED: 12-10-57, N. Dist. Fla., against Marcus E. Williams, Pensacola, Fla.

CHARGE: Between 4-27-57 and 7-11-57, *amphetamine sulfate tablets* were dispensed once at Pensacola, Fla., and *dextro-amphetamine sulfate tablets* were dispensed once at Tallahassee, Fla., without a prescription.

PLEA: Guilty.

DISPOSITION: 1-10-58. Sentence of 1 year in jail.

5435. (F.D.C. No. 39206. S. Nos. 27-423/30 M, 27-434 M, 53-802/9 M.)

INDICTMENT RETURNED: 8-2-57, N. Dist. Tex., against Robert C. Magee (medical doctor), Dallas, Tex.

CHARGE: Between 5-27-56 and 7-23-57, *amphetamine sulfate tablets* were dispensed 16 times without a prescription.

PLEA: Not guilty.

DISPOSITION: On 9-16-57, the defendant filed a motion to dismiss and a motion to strike, which were denied, and a motion for a bill of particulars, which was granted.

The case came on for trial before the court and jury on 9-18-57, and was terminated on 9-20-57, with the return by the jury of a verdict of not guilty.

5436. (F.D.C. No. 40139. S. Nos. 56-229/32 M.)

INFORMATION FILED: 7-11-57, N. Dist. Ill., against Zeitkin's Pharmacy, Inc., Chicago, Ill., Albert Cotler (vice president and treasurer) and Stanley L. Lisowski (assistant pharmacist).

CHARGE: Between 4-28-56 and 7-9-56, *Achromycin tablets* (counts 1 and 2) were dispensed twice and *Savatan capsules* (count 3) and *thyroid tablets* (count 4) were each dispensed once, without a prescription.

PLEA: Nolo contendere by corporation to all 4 counts of information, by Lisowski to counts 1, 2, and 4, and by Cotler to count 3.

DISPOSITION: 8-5-57. Corporation fined \$300, plus costs; Lisowski, \$150; and Cotler, \$100.

5437. (F.D.C. No. 39841. S. Nos. 47-039 M, 47-042/3 M, 47-060 M.)

INFORMATION FILED: 5-31-57, Dist. N.J., against David J. Barnett, t/a Bear Drug Co., Lambertville, N.J.

CHARGE: Between 7-25-56 and 10-4-56, *Achromycin tablets* were dispensed twice and *Thorazine tablets* and *capsules containing a mixture of ergot, aloin, apiol, oil pennyroyal, and cottonseed oil* were each dispensed once, without a prescription.

PLEA: Guilty.

DISPOSITION: 7-15-57. \$250 fine and probation for 1 year.

5438. (F.D.C. No. 40448. S. Nos. 56-193 M, 72-341 M, 72-781 M, 72-783 M, 72-794 M.)

INFORMATION FILED: 10-25-57, N. Dist. Ill., against Del-Kar Drugs, Inc., Chicago, Ill., t/a Douglas Drugs, and Harry Simon (secretary-treasurer of the corporation) and Austin Jones (pharmacist).

CHARGE: Between 2-21-57 and 4-8-57, *Metandren Linguets* were dispensed twice and *amphetamine sulfate tablets*, *Emmenatone capsules*, and *Dewerdrine Sulfate capsules* were each dispensed once, without a prescription.

PLEA: Nolo contendere by corporation to all counts of information, by Austin Jones to dispensing *Metandren Linguets*, and by Harry Simon to dispensing the other drugs.

DISPOSITION: 11-7-57. Fine of \$300, plus costs, against corporation, \$225 against Simon, and \$100 against Jones.

5439. (F.D.C. No. 40436. S. Nos. 48-481/4 M, 72-785/7 M.)

INFORMATION FILED: 9-27-57, N. Dist. Ill., against Kaplan Drugs, Inc., Chicago, Ill., and George Ichiba (pharmacist) and Francis A. Nishimura (secretary of the corporation).

CHARGE: Between 11-28-56 and 4-18-57, *Metandren Linguets*, *amphetamine sulfate tablets*, and *secobarbital sodium capsules* were each dispensed twice and *dextro-amphetamine sulfate capsules* were dispensed once, without a prescription.

PLEA: Nolo contendere by corporation to all counts of information, by Nishimura to counts 2 and 4 relating to dispensing of *Metandren Linguets* and *amphetamine sulfate tablets*, and by Ichiba to remaining counts of information.

DISPOSITION: 10-21-57. Corporation fined \$300, plus costs, and each individual fined \$200.

5440. (F.D.C. No. 39404. S. Nos. 52-202 M, 52-205 M, 52-223 M, 52-262 M, 52-270 M, 52-272 M, 52-322 M.)

INFORMATION FILED: 3-21-57, E. Dist. N.Y., against Abraham Asch, t/a Klipp's Pharmacy, Garden City, N.Y., and Fred L. Chidester and Gustave Smith (pharmacists).

CHARGE: Between 4-12-56 and 5-22-56, *AM Plus capsules* were dispensed twice and *Gantrisin tablets* were dispensed once without a prescription, and *Seconal Sodium capsules* and *Metandren Linguets* were each dispensed twice upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty by Asch and Smith to one sale of *Seconal Sodium capsules*, *Gantrisin tablets*, *Metandren Linguets*, and *AM Plus capsules*, and by Chidester to one sale of *Seconal Sodium capsules*, *Metandren Linguets*, and *AM Plus capsules*.

DISPOSITION: 5-9-57. Asch fined \$2,000; Chidester, \$1,050; and Smith, \$600.