

DISPOSITION: 2-17-60. Elliott—\$600 fine and probation for 1 year; McDaniel—\$600 fine, of which \$300 was suspended; Delaney—\$300 fine.

6145. (F.D.C. No. 42407. S. Nos. 30-016 P, 30-018 P, 30-938 P, 31-143 P.)

INFORMATION FILED: 11-18-59, S. Dist. N.Y., against Louis Malkin, t/a Charles Pharmacy, Bronx, N.Y., and Louis A. Iorio (pharmacist).

CHARGE: Between 3-13-58 and 5-15-58, *Metandren Linguets* were dispensed twice upon requests for prescription refills without authorization by the prescriber, and *Thorazine tablets* and *Dewedrine Sulfate tablets* were each dispensed once without a prescription.

PLEA: Guilty by Malkin to all counts and by Iorio to the counts involving the *Metandren Linguets*.

DISPOSITION: 4-7-60. Malkin—\$1,500 fine, 1 years imprisonment suspended, and probation for 2 years; Iorio—1 years imprisonment suspended, and probation for 1 year.

6146. (F.D.C. No. 42401. S. Nos. 29-832 P, 30-947/8 P, 30-957/8 P.)

INFORMATION FILED: 2-24-60, S. Dist. N.Y., against B.M.T. Pharmacy, Inc., New York, N.Y., Sydney Nestle (president of the corporation), and Chris Melendez (clerk).

CHARGE: Between 2-7-58 and 2-25-58, *methyltestosterone tablets* (count 1) were dispensed once, and *Metandren Linguets* (counts 2 and 3) and *amphetamine sulfate tablets* (counts 4 and 5) were each dispensed twice without a prescription.

PLEA: Guilty by Melendez to counts 1 and 2; not guilty by the corporation to all counts; and by Nestle to counts 1, 3, 4, and 5.

DISPOSITION: On 3-8-60, Melendez was given a sentence of 5 months in jail which was suspended and was placed on probation for 3 years.

On 2-25-60, the case against the corporation and Nestle came on for trial before the court and a jury. On 3-2-60, the jury returned a verdict of guilty. Thereafter, on 3-8-60, the corporation was fined \$600; and Nestle was fined \$600, given a 6 months jail sentence which was suspended, and placed on probation for 3 years.

6147. (F.D.C. No. 43239. S. Nos. 33-663 P, 33-672 P, 33-674 P, 33-682 P, 33-687 P, 33-692 P, 33-694 P.)

INFORMATION FILED: 1-7-60, S. Dist. N.Y., against Howard K. Ganbarg (partner in the Leo Ganbarg Pharmacy), New York, N.Y.

CHARGE: Between 12-9-58 and 1-14-59, *chloramphenicol capsules*, *Doriden tablets* and *dextro-amphetamine sulfate tablets* were each dispensed 1 time upon requests for prescription refills without authorization from a prescriber, and *Gantricillin tablets*, *Metandren tablets*, *Cyclogesterin tablets* and *Abbecillin* were each dispensed 1 time without a prescription.

PLEA: Guilty.

DISPOSITION: 3-29-60. \$1,000 fine.

6148. (F.D.C. No. 43728. S. Nos. 5-881/4 P, 5-886/8 P.)

INFORMATION FILED: 3-15-60, E. Dist. N.C., against Brodie D. Arnold, t/a Arnold Rexall Drugs, Raleigh, N.C., Eugene M. Ussery (pharmacist), and Ruben Emory (employee).