VIOLATIVE SALES OF PRESCRIPTION DRUGS

4241. Misbranding of Amytal Sodium capsules, Seconal Sodium capsules, and sulfadiazine tablets. U. S. v. Parke Drug Co., Samuel M. Larner, and Charles Levine. Pleas of guilty. Fine of $1,000 against company, $350 against Defendant Larner, and $250 against Defendant Levine. Each defendant also placed on probation for 1 year. (F. D. C. No. 34354. Sample Nos. 37336-L, 37702-L, 37706-L, 37708-L, 37891-L, 37895-L, 37900-L.)

INFORMATION FILED: April 6, 1953, District of New Jersey, against the Parke Drug Co., a corporation, Asbury Park, N. J., Samuel M. Larner and Charles Levine, pharmacists for the corporation.

NATURE OF CHARGE: On or about May 6, 13, 20, 27, and 28, 1952, while a number of *Amytal Sodium capsules, Seconal Sodium capsules,* and *sulfadiazine tablets* were being held for sale at the Parke Drug Co., after shipment in interstate commerce, various quantities of the drugs were dispensed upon requests for refills of prescriptions for such drugs, without obtaining authorization by the prescriber. The corporation was charged with causing the acts of dispensing involved in each of the 7 counts of the information, Defendant Larner was joined as a defendant in 3 counts, and Defendant Levine was joined as a defendant in the other 4 counts of the information. These acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: November 16, 1953. Pleas of guilty having been entered by the defendants, the court fined the corporation $1,000, Defendant Larner $350, and Defendant Levine $250. The court also placed each defendant on probation for 1 year.

4242. Misbranding of Dexedrine Sulfate tablets and Seconal Sodium capsules. U. S. v. Alex H. Altshuler (Seldale Drug). Plea of guilty. Defendant fined $500 and placed on probation for 3 years. (F. D. C. No. 34361. Sample Nos. 48281-L, 48282-L, 48284-L.)

INFORMATION FILED: April 21, 1953, District of Minnesota, against Alex H. Altshuler, trading as the Seldale Drug, St. Paul, Minn.

NATURE OF CHARGE: On or about April 29 and May 9, 1952, while a number of *Dexedrine Sulfate tablets* and *Seconal Sodium capsules* were being held for sale at the Seldale Drug, after shipment in interstate commerce, the defendant caused various quantities of the drugs to be dispensed upon requests for refills of written prescriptions for such drugs, without obtaining authorization by the prescriber. These acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: December 28, 1953. The defendant having entered a plea of guilty, the court fined him $500 and placed him on probation for 3 years.