DISPOSITION: The defendant entered a plea of not guilty on November 18, 1953. Thereafter, a motion for a bill of particulars was filed, and on February 11, 1954, this motion was denied. The case subsequently came on for trial before the court and jury, and on February 26, 1954, the jury returned a verdict of guilty. On March 24, 1954, the court fined the defendant $2,500 and placed him on probation for 2 years.

4303. Misbranding of penicillin G potassium tablets, sulfadiazine tablets, and secobarbital sodium capsules. U. S. v. Harold L. Potter (Potter's Drug Store), and Robert W. Lawson. Pleas of nolo contendere. Each defendant sentenced to 1 hour imprisonment; sentence suspended. (F. D. C. No. 35203. Sample Nos. 76141–L to 76144–L, incl.)

INFORMATION FILED: November 13, 1953, District of Idaho, against Harold L. Potter, trading as Potter's Drug Store, at Boise, Idaho, and Robert W. Lawson, an employee.

NATURE OF CHARGE: On or about June 25 and 29 and July 1, 1953, while a number of *penicillin G potassium tablets*, *sulfadiazine tablets*, and *secobarbital sodium capsules* were being held for sale at Potter's Drug Store, after shipment in interstate commerce, various quantities of the drugs were dispensed without a prescription from a practitioner licensed by law to administer such drugs. Defendant Potter was charged with causing the acts of dispensing involved in each of the 4 counts of the information, and Defendant Lawson was joined as a defendant in 2 counts. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: February 8, 1954. The defendants having entered pleas of nolo contendere, the court imposed a sentence of 1 hour imprisonment against each defendant, but suspended this sentence.

4304. Misbranding of sulfathiazole tablets. U. S. v. Scott-Butler Drug Store, a partnership, Harry W. Scott, and Mayo Holman. Pleas of nolo contendere. Fine of $75 against Defendant Scott and $50 against Defendant Holman. Proceedings against partnership dismissed. (F. D. C. No. 35170. Sample Nos. 61882–L to 61884–L, incl.)

INFORMATION FILED: October 22, 1953, Eastern District of Oklahoma, against the Scott-Butler Drug Store, a partnership, Idabel, Okla., Harry W. Scott, a partner and manager of the partnership, and Mayo Holman, an employee of the partnership.

NATURE OF CHARGE: On or about May 19 and 22 and June 1, 1953, while a number of *sulfathiazole tablets* were being held for sale at the Scott-Butler Drug Store, after shipment in interstate commerce, various quantities of the tablets were dispensed without a prescription from a practitioner licensed by law to administer such drug. The partnership and Defendant Scott were charged with causing the acts of dispensing involved in each of the 3 counts of the information, and Defendant Holman was joined as a defendant in 2 counts. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed tablets being misbranded while held for sale.

DISPOSITION: February 19, 1954. Pleas of nolo contendere having been entered by the defendants, the court fined Defendant Scott $75 and Defendant Holman $50 and dismissed the proceedings against the partnership.