4322. Misbranding of pentobarital sodium capsules and dextro-amphetamine sulfate tablets. U. S. v. J. A. Miller (Mar-Main Pharmacy), Glenn L. Handshaw, Ralph Woolley, and Joseph A. Bills. Pleas of nolo contendere. Fine of $300 against J. A. Miller and $100 against each of the other defendants, plus costs. (F. D. C. No. 35124. Sample Nos. 9700–L to 9703–L, incl., 10070–L, 10073–L, 10075–L, 10078–L.)

INFORMATION FILED: September 9, 1953, Northern District of Indiana, against J. A. Miller, trading as Mar-Main Pharmacy, South Bend, Ind., and Glenn L. Handshaw, Ralph Woolley, and Joseph A. Bills, pharmacists.

NATURE OF CHARGE: On or about September 9, 13, and 26, November 13, 18, and 25, and December 3, 1952, while a number of *pentobarbital sodium capsules* and *dextro-amphetamine sulfate tablets* were being held for sale at the Mar-Main Pharmacy, after shipment in interstate commerce, various quantities of such drugs were dispensed upon requests for refills of written prescriptions therefor without obtaining authorization by the prescribers. J. A. Miller was charged with causing the acts of dispensing involved in each of the 8 counts of the information; Glenn L. Handshaw was joined as a defendant in 3 counts; Ralph Woolley, in 2 counts; and Joseph A. Bills, in 2 other counts of the information. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: April 29, 1954. The defendants having entered pleas of nolo contendere, the court fined J. A. Miller $300 and each of the other defendants $100, plus costs.

4323. Misbranding of dextro-amphetamine sulfate tablets, sulfathiazole tablets, and amphetamine sulfate tablets. U. S. v. Norbert A. Spalding (Spalding Drug Co.), Guy E. Taliaferro, and Marvin M. Gray. Pleas of guilty. Fine of $150, plus costs, against each individual. (F. D. C. No. 34830. Sample Nos. 46552–L, 46561–L to 46564–L, incl.)

INFORMATION FILED: May 13, 1953, Northern District of Alabama, against Norbert A. Spalding, trading as the Spalding Drug Co., Sheffield, Ala., and Guy E. Taliaferro, a pharmacist, and Marvin M. Gray, a clerk in the business.

NATURE OF CHARGE: On or about July 30 and August 12, 13, and 15, 1952, while a number of *dextro-amphetamine sulfate tablets*, *sulfathiazole tablets*, and *amphetamine sulfate tablets* were being held for sale at the Spalding Drug Co., 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 Spalding was charged with causing the acts of dispensing involved in each of the counts of the information; Defendant Taliaferro was joined as a defendant in counts 2 and 4; and Defendant Gray was joined as a defendant in count 5 of the information. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: April 2, 1954. The defendants having entered pleas of guilty, the court fined each defendant $150, plus costs.