

VIOLATIVE SALES OF PRESCRIPTION DRUGS

4401. Misbranding of methylparafynol capsules and methyltestosterone tablets. U. S. v. Claridge Pharmacy and Lester Weitzman. Pleas of guilty. Fine of \$100, plus costs, against pharmacy and \$300 against individual. (F. D. C. No. 35787. Sample Nos. 10104-L, 10108-L, 58981-L, 58982-L.)

INFORMATION FILED: April 14, 1954, Northern District of Illinois, against the Claridge Pharmacy, a partnership, Chicago, Ill., and Lester Weitzman, a partner and pharmacist in the partnership.

NATURE OF CHARGE: On or about June 4, 11, 21, and 30, 1953, while a number of *methylparafynol capsules* and *methyltestosterone tablets* were being held for sale at the Claridge Pharmacy, after shipment in interstate commerce, the defendants caused various quantities of the drugs to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: May 10, 1954. The defendants having entered pleas of guilty, the court fined the partnership \$100, plus costs, and the individual \$300.

4402. Misbranding of methyltestosterone tablets and methantheline bromide tablets. U. S. v. Cecil E. Brown and Payton J. Powers. Pleas of guilty. Each defendant fined \$500 and sentenced to 3 months in jail. Jail sentence suspended and defendants placed on probation for 18 months. (F. D. C. No. 35770. Sample Nos. 69143-L, 69242-L, 69243-L, 69247-L.)

INFORMATION FILED: January 5, 1954, Northern District of Texas, against Cecil E. Brown and Payton J. Powers, pharmacists at the West Pharmacy, Plainview, Tex.

NATURE OF CHARGE: On or about June 13, 15, 20, and 29, 1953, while a number of *methyltestosterone tablets* and *methantheline bromide tablets* were being held for sale at the West Pharmacy, after shipment in interstate commerce, the defendants caused various quantities of the drugs to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: May 4, 1954. The defendants having entered pleas of guilty, the court fined each defendant \$500 and sentenced each to 3 months in jail. The jail sentence was suspended, and the defendants were placed on probation for 18 months.

4403. Misbranding of methantheline bromide tablets, penicillin G crystalline potassium tablets, and a quantity of paraldehyde. U. S. v. Mark Begley and Eugene H. Hager. Pleas of guilty. Fine of \$100 against Eugene H. Hager and \$200 against Mark Begley, plus costs. (F. D. C. No. 35791. Sample Nos. 56982-L, 71053-L, 71055-L.)

INFORMATION FILED: February 26, 1954, Eastern District of Kentucky, against Mark Begley, a partner in the partnership of Begley Drug, Hazard, Ky., and against Eugene H. Hager, pharmacist for the partnership.

NATURE OF CHARGE: On or about April 28 and June 3, 1953, while a number of *methantheline bromide tablets*, *penicillin G crystalline potassium tablets*, and a quantity of *paraldehyde* were being held for sale at Begley Drug, 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. Eugene H. Hager was charged with causing the dispensing of the *paraldehyde* and Mark Begley was charged with causing the dispensing of the other drugs involved. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: May 10, 1954. Pleas of guilty having been entered, the court fined Mark Begley \$200 and Eugene H. Hager \$100, plus costs.

4404. Misbranding of methantheleine bromide tablets, penicillin G potassium tablets, thyroid tablets, and diethylstilbestrol tablets. U. S. v. David W. McGuire (McGuire Pharmacy), and James T. Gilkey, Sr. Pleas of guilty. Fine of \$400 against Defendant McGuire and \$100 against Defendant Gilkey, plus costs. (F. D. C. No. 35753. Sample Nos. 71057-L, 71061-L, 71065-L, 71069-L, 71072-L.)

INFORMATION FILED: January 20, 1954, Eastern District of Kentucky, against David W. McGuire, trading as McGuire Pharmacy, Winchester, Ky., and James T. Gilkey, Sr., a pharmacist.

NATURE OF CHARGE: On or about June 3, 5, and 8, 1953, while a number of *methantheleine bromide tablets, penicillin G potassium tablets, thyroid tablets, and diethylstilbestrol tablets* were being held for sale at McGuire Pharmacy, 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 McGuire was charged with causing the acts of dispensing involved in each of the five counts of the information and Defendant Gilkey was joined as a defendant in three of the 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: May 25, 1954. Defendant McGuire having entered a plea of guilty to 4 counts of the information and Defendant Gilkey having entered a plea of guilty to count 3, the court imposed a fine of \$400 against Defendant McGuire and a fine of \$100 against Defendant Gilkey, plus costs.

4405. Misbranding of penicillin G crystalline potassium tablets, troches containing, among other things, dextro-amphetamine phosphate, thyroid tablets, and diethylstilbestrol tablets. U. S. v. Henry H. Horton. Plea of guilty. Fine of \$400, plus costs. (F. D. C. No. 35758. Sample Nos. 56976-L, 71066-L, 71068-L, 71074-L.)

INFORMATION FILED: January 20, 1954, Eastern District of Kentucky, against Henry H. Horton, an employee of the George Drug Store, Winchester, Ky.

NATURE OF CHARGE: On or about April 27 and June 5 and 8, 1953, while a number of *penicillin G crystalline potassium tablets, troches containing, among other things, dextro-amphetamine phosphate, thyroid tablets, and diethylstilbestrol tablets* were being held for sale at the George Drug Store, after shipment in interstate commerce, the defendant caused various quantities of the drugs to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: May 24, 1954. The defendant having entered a plea of guilty, the court fined him \$400, plus costs.