4406. Misbranding of methamphetamine hydrochloride tablets and thyroid tablets. U. S. v. Charles W. Atwell. Plea of guilty. Fine, $75. (F. D. C. No. 35777. Sample Nos. 56893–L, 57050–L, 57072–L.)

INFORMATION FILED: April 1, 1954, Northern District of Ohio, against Charles W. Atwell, a pharmacist for Stein's Pharmacy, Akron, Ohio.

NATURE OF CHARGE: On or about March 12 and 31 and June 1, 1953, while a number of *methamphetamine hydrochloride tablets* and *thyroid tablets* were being held for sale at Stein's Pharmacy, after shipment in interstate commerce, Defendant Atwell 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: April 19, 1954. The defendant having entered a plea of guilty, the court fined him $75.

4407. Misbranding of methamphetamine hydrochloride tablets, diphenhydramine hydrochloride capsules, and phenylbutazone tablets. U. S. v. Arthur L. Gates (Gates' Professional Pharmany). Plea of guilty. Fine, $50. (F. D. C. No. 35797. Sample Nos. 45105–L, 45106–L, 45536–L, 45538–L, 45592–L, 45594–L.)

INFORMATION FILED: March 17, 1954, District of Vermont, against Arthur L. Gates, trading as Gates' Professional Pharmacy, Burlington, Vt.

NATURE OF CHARGE: On or about July 20, 27, 28, and 31, and August 3, 1953, while a number of *methamphetamine hydrochloride tablets*, *diphenhydramine hydrochloride capsules*, and *phenylbutazone tablets* were being held for sale at Gates' Professional Pharmacy, after shipment in interstate commerce, the defendant caused various quantities of the drugs to be dispensed upon requests for refills of written prescriptions therefor without obtaining authorization by the prescriber. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: March 30, 1954. The defendant having entered a plea of guilty, the court fined him $50.

4408. Misbranding of dextro-amphetamine sulfate tablets. U. S. v. Oscar Sussman (Sussman's Drugs), and Samuel H. Lubinsky. Pleas of guilty. Each defendant fined $100. (F. D. C. No. 35748. Sample Nos. 51864–L, 51869–L.)

INFORMATION FILED: March 17, 1954, District of New Jersey, against Oscar Sussman, trading as Sussman's Drugs, Paterson, N. J., and Samuel H. Lubinsky, a pharmacist.

NATURE OF CHARGE: On or about April 6 and 28, 1953, while a number of *dextro-amphetamine sulfate tablets* were being held for sale at Sussman's Drugs, after shipment in interstate commerce, various quantities of the drug were dispensed without a prescription from a practitioner licensed by law to administer such drug. Defendant Sussman was charged with causing the acts of dispensing involved in each of the two counts of the information, and Defendant Lubinsky was joined as a defendant in one of the counts. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drug being misbranded while held for sale.

DISPOSITION: May 10, 1954. The defendants having entered pleas of guilty, the court fined each defendant $100.