VIOLATIVE SALES OF PRESCRIPTION DRUGS

4441. Misbranding of amphetamine sulfate tablets. U. S. v. Circle Drug Store (a partnership), William Mexic, Sam Mexic, and William E. Kugler. Plea of not guilty for Sam Mexic and pleas of nolo contendere for other defendants. Fine of $500 against partnership, $500 against William Mexic, and $250 against William E. Kugler. Sam Mexic tried to the court and found not guilty. (F. D. C. No. 35120. Sample Nos. 69011–L, 69012–L.)

INFORMATION FILED: June 2, 1953, Eastern District of Louisiana, against the Circle Drug Store, a partnership, New Orleans, La., and against William Mexic and Sam Mexic, partners in the partnership, and William E. Kugler, a pharmacist for the partnership.

NATURE OF CHARGE: On or about February 5 and 12, 1953, while a number of *amphetamine sulfate tablets* were being held for sale at the Circle Drug Store, 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. The partnership, William Mexic, and Sam Mexic were charged with causing the acts of dispensing involved in each of the 2 counts of the information, and William E. Kugler was joined as a defendant in count 2 of the information. Such acts of dispensing were alleged to be contrary to Section 503 (b) (1) and to result in the dispensed drug being misbranded.

DISPOSITION: Sam Mexic entered a plea of not guilty, and the other defendants entered pleas of nolo contendere. On August 26, 1953, the court fined the partnership $500, William Mexic $500, and William E. Kugler $250. On July 1, 1954, the case against Sam Mexic came on for trial before the court without a jury. The trial was concluded on the same day, with the return of a verdict of not quilty for Sam Mexic.

4442. Misbranding of sulfadiazine tablets. U. S. v. Bates Drug Store, Bedford F. Bates, and Marion G. Phillips. Pleas of nolo contendere. Fine of $100 against defendants jointly. (F. D. C. No. 35812. Sample Nos. 81662–L to 81665–L, incl.)

INFORMATION FILED: March 8, 1954, Eastern District of Oklahoma, against the Bates Drug Store, a partnership, Wewoka, Okla., and Bedford F. Bates and Marion G. Phillips, partners in the partnership.

NATURE OF CHARGE: On or about October 21, 23, 26, and 28, 1953, while a number of *sulfadiazine tablets* were being held for sale at the Bates Drug Store, after shipment in interstate commerce, the defendants caused various quantities of the tablets to be dispensed without a prescription from a practitioner licensed by law to administer such drug. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drug being misbranded while held for sale.

DISPOSITION: June 7, 1954. The defendants having entered pleas of nolo contendere, the court imposed a fine of $100 against the defendants jointly.

4443. Misbranding of sulfadiazine tablets. U. S. v. Turner J. West (Keystone Drug Store). Plea of nolo contendere. Fine, $100. (F. D. C. No. 35801. Sample Nos. 81651–L to 81654–L, incl.)

INFORMATION FILED: March 8, 1954, Eastern District of Oklahoma, against Turner J. West, trading as Keystone Drug Store, Holdenville, Okla.