PLEA: Guilty by the partnership to all counts; by Phipps to counts 2, 3, and 4; and by Brasher to counts 5 and 6.

DISPOSITION: 6–10–59. Partnership—$100 fine; individuals—$200 fine each.

5835. (F.D.C. No. 43097. S. Nos. 21–238/40 P, 21–617 P, 22–163 P.)

INFORMATION FILED: 6–16–59, W. Dist. Mo., against **George A. MacKay, t/a MacKay Drug, Kansas City, Mo.**

CHARGE: Between 1–9–59 and 1–26–59, *pentobarbital sodium capsules* were dispensed twice and *Chloromycetin capsules* were dispensed once upon requests for refills of prescriptions without authorization from a prescriber, and *Terramycin Hydrochloride capsules* were dispensed twice without a prescription.

PLEA: Guilty.

DISPOSITION: 6–19–59. $500 fine, plus costs.

5836. (F.D.C. No. 43108. S. Nos. 19–838 P, 19–842 P, 19–845 P, 19–852/5 P.)

INFORMATION FILED: 7–1–59, W. Dist. Okla., against **Fern S. Wythe, t/a Wythe Drug Store No. 1, Oklahoma City, Okla.**

CHARGE: Between 1–20–59 and 2–11–59, *pentobarbital sodium capsules* were dispensed 5 times upon requests for refills of a prescription without authorization by the prescriber, and *Sulfose Suspension* was dispensed twice without a prescription.

PLEA: Guilty.

DISPOSITION: 8–21–59. Defendant was placed on probation for 5 years.

5837. (F.D.C. No. 42458. S. Nos. 18–705 P, 18–716 P, 18–719 P, 18–724 P, 18–737 P, 18–758 P.)

INFORMATION FILED: 1–27–59, against **Paul W. Brown, t/a Del Norte Pharmaceuticals, El Paso, Tex.**

CHARGE: Between 2–6–58 and 4–19–58, *secobarbital sodium capsules* were dispensed 5 times and *dextro-amphetamine sulfate tablets* were dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 3–6–59. Suspended sentence of 1 year in jail and probation for 1 year.

5838. (F.D.C. No. 43053. S. Nos. 21–572 P, 21–645 P, 21–648/9 P, 21–659/60 P.)

INFORMATION FILED: 4–15–59, E. Dist. Okla., against **John M. Walker, t/a Walker's Drug Store, Haskell, Okla.**

CHARGE: Between 9–29–58 and 10–23–58, *Seconal Sodium capsules* were dispensed 4 times and *Synatan tablets* were dispensed once upon requests for prescription refills without authorization from a prescriber, and *meprobamate tablets* were dispensed once without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 4–23–59. $110 fine.

5839. (F.D.C. No. 42447. S. Nos. 9–411/2 P, 9–681/4 P, 10–022/4 P, 10–030/1 P.)

INFORMATION FILED: 6–12–59, W. Dist. N.Y., against **James L. Battaglia, t/a North Main Pharmacy, Jamestown, N.Y., and Frances M. Barker (pharmacist).**

CHARGE: Between 7–17–58 and 8–27–58, *Seconal Sodium capsules* (counts 1, 2, 3, and 7) were dispensed 4 times, *Compazine Spansule capsules* (counts 4, 8, and 11) were dispensed 3 times, and *Dexedrine Sulfate tablets* (counts 6 and 10) were dispensed twice upon requests for prescription refills without authorization from a prescriber, and *AM Plus capsules* (counts 5 and 9) were dispensed twice without a prescription.

PLEA: Nolo contendere by Battaglia to all counts and by Barker to counts 1, 6, and 11.

DISPOSITION: 7–22–59. Battaglia—$400 fine; Barker—$50 fine.

5840. (F.D.C. No. 42438. S. Nos. 8–268 P, 8–290 P, 8–746 P.)

INFORMATION FILED: 4–1–59, N. Dist. N.Y., against **Benjamin Berke, t/a Berke's Drug Store, Rome, N.Y., Dominick Capponi (clerk), and Edwin L. Comins (pharmacist).**

CHARGE: Between 3–3–58 and 3–15–58, *Seconal Sodium capsules* (counts 1 and 2) were dispensed twice and *Dexedrine Spansule capsules* (count 3) were dispensed once upon requests for prescription refills without authorization from a prescriber.

PLEA: Guilty by Berke to counts 1 and 2; by Comins to count 2; and by Capponi to count 3.

DISPOSITION: 7–13–59. Berke—$700 fine; Comins and Capponi—each $200 fine.

5841. (F.D.C. No. 41172. S. Nos. 76–918 M, 76–923 M, 76–926 M, 76–931 M, 77–206 M, 77–208 M.)

INFORMATION FILED: 5–17–58, N. Dist. Ga., against **Bradford Drug Co., Inc., Cedartown, Ga., Henry Tare Bradford (president and treasurer of the corporation), and Edwin Gibson Ivey (an employee of the corporation).**

CHARGE: Between 7–11–57 and 8–5–57, *Seconal Sodium capsules* were dispensed 6 times upon requests for prescription refills without authorization by the prescriber.

DISPOSITION: The defendants having entered a plea of not guilty, the case came on for trial before the court and jury on 3–20–59. The trial was concluded on 3–24–59, with the court declaring a mistrial because of the failure of the jury to reach a verdict.

On 11–4–59, pleas of nolo contendere were entered by the corporation to all 6 counts of the information; by Henry Bradford to counts 1, 2, and 5; and by Edwin Ivey to counts 3, 4, and 6. On the same day, the court fined the corporation $125, Henry Bradford $250, and Edwin Ivey $75. The court also placed each individual on probation for 1 year.

5842. (F.D.C. No. 42446. S. Nos. 75–653 M, 22–930/1 P, 22–933 P, 22–952 P.)

INFORMATION FILED: 5–15–59, Dist. Ariz., against **Herbert C. Brightbill and Herman M. Hoffman (pharmacists), Tucson, Ariz.**

CHARGE: Between 12–19–57 and 2–25–58, *Seconal Sodium capsules* and *Thorazine tablets* were each dispensed twice and *Meticorten tablets* were dispensed once upon request for prescription refills without authorization from the prescriber.