5966. (F.D.C. No. 42397. S. Nos. 28–304/8P.)

INFORMATION FILED: 12–12–58, N. Dist. Ala., against **Hodges Drug Store (a partnership), Scottsboro, Ala., Charles E. Hodges (partner), and Ethridge B. Thompson (pharmacist).**

CHARGE: Between 4–22–58 and 4–28–58, *Lotusate tablets* (counts 1, 3, and 4) were dispensed 3 times and *Compocillin–V tablets* (counts 2 and 5) were dispensed twice upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty by the partnership to all counts; by Hodges to counts 1, 2, and 3; and by Thompson to counts 4 and 5.

DISPOSITION: 1–30–59. Each defendant fined $200.

5967. (F.D.C. No. 42031. S. Nos. 35–513 P, 35–515 P, 35–517 P, 35–519 P.)

INFORMATION FILED: 9–29–58, E. Dist. Pa., against **Martin Katz, t/a Martin's Drugs, Philadelphia, Pa.**

CHARGE: Between 1–27–58 and 2–27–58, *Achromycin–SF capsules* (count 1) and *Achromycin capsules* (count 2) were each dispensed once and *Tuinal capsules* (counts 3 and 4) were dispensed twice without a prescription.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before a court and jury on 3–16–59, at which time counts 1 and 2 were dismissed on grounds of entrapment. On 3–18–60, the jury returned a verdict of guilty to counts 3 and 4. Thereafter, the defendant filed motions for acquittal on the ground of entrapment and for a new trial. The motions were denied on 3–31–60, and, on 4–19–60, the defendant was fined $250.

5968. (F.D.C. No. 41173. S. Nos. 76–917 M, 76–922 M, 76–925 M, 76–928 M, 76–933 M.)

INFORMATION FILED: 5–27–58, N. Dist. Ga., against **Albert Francis Moore, t/a Moore's Pharmacy, Cedartown, Ga., and Wilburn Lee Brown (pharmacist).**

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

PLEA: Nolo contendere by Moore to all counts and by Brown to counts 1, 3, and 5.

DISPOSITION: 11–4–59. Moore fined $250 and Brown fined $75. Each defendant placed on probation for 1 year.

5969. (F.D.C. No. 43052. S. Nos. 1–190 P, 1–193 P, 1–886 P, 2–629 P, 2–635/6 P, 2–643/4 P, 2–649/50 P.)

INFORMATION FILED: 4–17–59, W. Dist. N.C., against **Allen Drug Co. (a partnership), Cherryville, N.C., and Harry H. Allen, Sr. and William Franklin Allen (pharmacists and partners in the partnership).**

CHARGE: Between 4–29–58 and 6–19–58, *Pen-Vee tablets* (counts 1, 2, 4, and 6), and *Seconal Sodium capsules* (counts 3, 5, 7, and 8) were each dispensed 4 times and *Nembutal capsules* (counts 9 and 10) were dispensed twice upon request for prescription refills without authorization by the prescribers.

PLEA: Guilty, by the partnership to all counts; by Harry H. Allen, Sr. to counts 1, 2, 3, 8, and 10; and by William Franklin Allen to counts 4, 5, 6, 7, and 9.

DISPOSITION: 10–5–59. A collective fine of $1,000 was assessed against the partnership and the individuals. Individual defendants were each placed on probation for 3 years.

5970. (F.D.C. No. 43246. S. Nos. 22–101 P, 22–103/6 P.)

INFORMATION FILED: 10–14–59, Dist. Nebr., against **Harry G. Williams, Omaha, Nebr.**

CHARGE: Between 2–10–59 and 4–10–59, *methamphetamine hydrochloride tablets* were dispensed 4 times and *Benzedrine Sulfate tablets* were dispensed once without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 10–29–59. $1,000 fine, plus costs, 1 year imprisonment which was suspended, and probation for 3 years.

On 1–5–60, a petition was filed for revocation of probation imposed against the defendant. The application charged that the defendant, on 11–28–59, dispensed a number of *methamphetamine hydrochloride tablets* without a prescription. After a hearing on 1–6–60, the court found the defendant had violated the conditions of his probation. Thereupon the court revoked the order of probation previously entered and sentenced the defendant to 1 year imprisonment.

5971. (F.D.C. No. 43226. S. Nos. 3–738 P, 5–026 P.)

INFORMATION FILED: 9–29–59, Dist. Md., against **Duvall Pharmacy, Inc., Baltimore, Md., and Leon L. Tattar (president and treasurer of the corporation).**

CHARGE: Between 1–5–59 and 1–30–59, *V-Cillin K tablets* (count 1) and *Nembutal capsules* (count 2) were each dispensed once upon requests for prescription refills without authorization from a prescriber.

PLEA: Guilty by the corporation to both counts and by Tattar to count 1.

DISPOSITION: 1–15–60. Corporation—$900 fine; Tattar—$300 fine, plus costs to be prorated between the defendants.

5972. (F.D.C. No. 43106. S. Nos. 48–728 M, 79–307 M, 82–815 M, 3–465 P, 35–130 P.)

INFORMATION FILED: 2–19–60, E. Dist. Pa., against **Harvey-Pittenger Co., Inc., and Eugene L. Cohen, t/a Wyanel Laboratories, Philadelphia, Pa.**

ALLEGED VIOLATION: Between 7–15–57 and 1–15–58, the defendants caused quantities of *Gardophen elixir*, *Thriocaine Lotion*, *Rauprote tablets*, *Piptelate tablets*, and *Triophen tablets* to be introduced and delivered for introduction into interstate commerce by various drug manufacturers at Philadelphia, Sellersville, and Allentown, Pa., for delivery to Chicago, Ill., New York, N.Y., Cleveland, Ohio, Lynchburg, Va., and Collingswood, N.J.

LABEL IN PART: "Gardophen (Elixir Hyoscyamine Comp.) Each 5cc (1 teaspoonful) contains: Phenobarbital (¼ gr.) 16.20 mg."; "3 Fluid ounces THRIOCAINE LOTION CONTAINS: TYROTHRICIN 0.01% BENZOCAINE 2.0%"; "RAUPROTE 100 TABLETS Each tablet contains: Rauwolfia Serpentina 50 mg. Protoveratrines A and B 0.2 mg."; "PIPTELATE (BRAND OF PIPERAZINE CITRATE) 100 TABLETS Each tablet contains the equivalent of: PIPERAZINE HEXAHYDRATE . . . 250 mg."; and "TRIOPHEN 1000 Tablets Each tablet contains: Phenobarbital ⅛ gr. (Warning: * * *) Atropine Sulfate 1/500 gr. Magnesium Trisilicate 7 gr."