

**CHARGE:** Between 11-3-59 and 11-16-59, *amphetamine sulfate tablets* were dispensed 4 times and *dextro-amphetamine sulfate tablets* were dispensed once without a prescription.

**PLEA:** Guilty.

**DISPOSITION:** 11-6-61. Sentence of 2 years in prison suspended; probation for 5 years.

6967. (F.D.C. No. 44948. S. Nos. 72-329 P, 87-334/6 P.)

**INFORMATION FILED:** 3-1-61, E. Dist. S.C., against Robert Lee Clure, Mildred A. Clure, Greensboro, Ga., formerly of Homestead, Fla., and Cecil Gainey, Society Hill, S.C.

**CHARGE:** Prior to 12-3-59 and continuing to 12-11-59, the defendants conspired (count 1) to violate the Federal Food, Drug, and Cosmetic Act with respect to misbranding *amphetamine tablets* by unlawfully dispensing such drugs, contrary to 503(b)(1), after shipment from outside the State of South Carolina.

It was a further part of the conspiracy that Robert and Mildred Clure, would and did obtain from various suppliers, *amphetamine tablets* which had been manufactured outside the State of South Carolina; that Robert and Mildred Clure would and did supply to Gainey *amphetamine tablets* which had been shipped in interstate commerce; that Robert and Mildred Clure would refer to Gainey, prospective customers to whom *amphetamine tablets* would be dispensed without prescription; and that the defendants would and did sell *amphetamine tablets* to customers without prescriptions, contrary to 503(b)(1).

In furtherance, and to effect the objects of the conspiracy, the defendants did within the States of North Carolina and South Carolina commit various overt acts, among others the following:

(1) On 12-3-59, the defendants had a conversation with a Food and Drug Administration inspector regarding the purchase of *amphetamine tablets*;

(2) On 12-11-59, Gainey unlawfully dispensed *tablets containing a mixture of amphetamine sulfate and phenobarbital*, without a prescription;

(3) On 12-11-59, Gainey unlawfully dispensed *dextro-amphetamine sulfate tablets* without a prescription;

(4) On 12-11-59, Gainey unlawfully dispensed *desoxyephedrine hydrochloride tablets* without a prescription.

In addition to the charge of conspiracy, on 12-11-59, the information alleged that *tablets containing a mixture of amphetamine sulfate and phenobarbital* (count 2) were dispensed twice and *amphetamine sulfate tablets* (count 3) and *desoxyephedrine hydrochloride tablets* (count 4) were each dispensed once without a prescription.

**PLEA:** Guilty by Robert and Mildred Clure to all counts and by Gainey to 2 counts.

**DISPOSITION:** 12-4-61. Robert Clure—\$5,000 fine, 5 years imprisonment suspended, and 5 years probation on condition that defendant have no connections with the truck stop business; Mildred Clure—\$5,000 fine, 5 years imprisonment suspended, and 5 years probation; Gainey—\$2,000 fine, and 2 years imprisonment. On payment of \$500 of the fine, the sentence was suspended, and the defendant placed on probation for 5 years.

6968. (F.D.C. No. 44946. S. No. 72-321 P.)

**INFORMATION FILED:** 3-1-61, M. Dist. N.C., against Robert Lee Clure and Mildred A. Clure, Greensboro, Ga., formerly of Homestead, Fla.

**CHARGE:** On 11-3-59, *amphetamine sulfate tablets* were dispensed once without a prescription at a service station near Concord, N.C.

**PLEA:** Guilty by each defendant.

**DISPOSITION:** 2-5-62. Robert Clure—imprisonment for 1 year; Mildred Clure—\$1,000 fine, imprisonment for 1 year suspended, probation for 5 years.

6969. (F.D.C. No. 45568. S. Nos. 65-461/73 R.)

**INFORMATION FILED:** 3-23-61, E. Dist. N.C., against DeWitt Clinton Bowman, t/a Carolina Drug Associates, Salemburg, N.C.

**CHARGE:** On 2-14-61 and 2-17-61, a total of 7,000 *dextro-amphetamine sulfate capsules*, 8,000 *dextro-amphetamine sulfate with amobarbital capsules*, 10,000 *amphetamine sulfate with dextro-amphetamine sulfate tablets*, 4,000 *dextro-amphetamine sulfate tablets*, 12,000 *amphetamine sulfate tablets*, and 10,000 *amphetamine hydrochloride with phenobarbital tablets*, were dispensed without a prescription.

**PLEA:** Guilty.

**DISPOSITION:** 9-21-61. \$1,000 fine and 30 months imprisonment.

6970. (F.D.C. No. 46386. S. Nos. 3-738/9 R, 3-740 R, 3-742 R, 3-744/6 R.)

**INFORMATION FILED:** 11-24-61, E. Dist. Va., against William H. Zissett, of Columbia, S.C.

**CHARGE:** Between 7-17-60 and 7-29-60, at Woodbridge, Va., *dextro-amphetamine sulfate tablets* were dispensed 3 times, *amphetamine hydrochloride tablets* were dispensed twice, and *amphetamine sulfate tablets containing amphetamine hydrochloride and phenobarbital* were each dispensed once, without prescription.

**PLEA:** Guilty.

**DISPOSITION:** 2-19-62. The case having been transferred to the U.S. District Court, E. Dist. S.C., for the entry of the plea, the court fined the defendant \$200, imposed a sentence of 2 years in jail, which sentence was suspended, and placed the defendant on probation for 4 years.

6971. (F.D.C. No. 46673. S. Nos. 13-703 R, 13-707 R.)

**INFORMATION FILED:** 2-21-62, N. Dist. Ill., against Harvey Drugs, Inc., t/a Harvey Rexall Drugs, Chicago, Ill., and Harvey J. Swartz (president and pharmacist).

**CHARGE:** Between 1-27-61 and 5-5-61, *dextro-amphetamine sulfate capsules* were dispensed twice without a prescription.

**PLEA:** Nolo contendere.

**DISPOSITION:** 4-16-62. Corporation—\$500 fine, plus costs; Swartz—\$500 fine.

6972. (F.D.C. No. 46401. S. Nos. 30-548/9 R.)

**INFORMATION FILED:** 2-7-62, M. Dist. Ala., against Yancey Park Drug Co., Inc., t/a D & D Drug, Montgomery, Ala.

**CHARGE:** Between 6-20-60 and 6-21-60, *Dexedrine Sulfate tablets* and *meprobamate tablets* were each dispensed once upon requests for prescription refills without authorization by the prescriber.

**PLEA:** Guilty.

**DISPOSITION:** 2-21-62. \$500 fine.