

VIOLATIVE SALES OF PRESCRIPTION DRUGS

5041. (F. D. C. No. 38558. S. Nos. 21-181/4 M, 21-186/8 M.)

INFORMATION FILED: 1-19-56, W. Dist. Mo., against Myerly's Pharmacy, Inc., Kansas City, Mo., and Samuel J. Gershon (vice president).

CHARGE: Between 5-13-55 and 7-9-55, *phenobarbital sodium capsules* were dispensed 5 times and *secobarbital sodium capsules* were dispensed once without a prescription, and *secobarbital sodium capsules* also were dispensed once upon request for a prescription refill without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 3-2-56. Corporation fined \$35. Individual fined \$1,000, plus costs, and sentenced to 3 months in prison; prison sentence suspended and individual placed on probation for 2 years.

5042. (F. D. C. No. 37831. S. Nos. 79-502 L, 79-504 L, 86-491/2 L.)

INFORMATION FILED: 3-10-55, N. Dist. Ohio, against Nicholas G. Lungociu, t/a Valley Pharmacy, Akron, Ohio.

CHARGE: Between 1-23-54 and 2-10-54, *tablets and capsules containing a mixture of phenobarbital, hyoscyamine sulfate, atropine sulfate, and hyoscyne hydrobromide* were dispensed a total of 3 times and *dextro-amphetamine sulfate capsules* were dispensed once, without a prescription.

PLEA: Guilty.

DISPOSITION: 3-25-55. \$300 fine.

5043. (F. D. C. No. 38143. S. Nos. 59-899 L, 59-904 L, 59-907/8 L.)

INFORMATION FILED: 9-28-55, W. Dist. N. C., against Kiser Drug Co. (a partnership), Charlotte, N. C., and Edna Puckett (an employee).

CHARGE: Between 6-11-54 and 6-25-54, *phenobarbital tablets* were dispensed 3 times and *Gantrisin tablets* were dispensed once without a prescription.

PLEA: Nolo contendere—by each defendant to all counts.

DISPOSITION: 10-10-55. Partnership fined \$200; Puckett fined \$250 and placed on probation for 2 years.

5044. (F. D. C. No. 38125. S. Nos. 5-845 M, 5-849 M, 6-009 M, 6-011 M, 6-544 M.)

INFORMATION FILED: 8-2-55, E. Dist. Tenn., against George M. Stevens, Jr., t/a Stevens Drug Store, Fountain City, Tenn., and Fred W. Walker (an employee).

CHARGE: Between 12-7-54 and 1-29-55, *Neo-Sedaphen* (a drug containing pentobarbital sodium and phenobarbital sodium) was dispensed twice and *Dexedrine Sulfate tablets* were dispensed 3 times without a prescription.

PLEA: Guilty—by Stevens to all counts of the information and by Walker to dispensing *Neo-Sedaphen* twice and *Dexedrine Sulfate tablets* once.

DISPOSITION: 9-1-55. Stevens fined \$350; Walker fined \$150.

5045. (F. D. C. No. 37879. S. Nos. 68-415/6 L, 71-683 L, 71-689 L, 71-882 L, 71-884 L, 72-102 L, 72-108 L.)

INFORMATION FILED: 7-6-55, Dist. N. J., against Herman Doctofsky, t/a Weir's Pharmacy, Manasquan, N. J.

CHARGE: Between 7-13-54 and 8-2-54, *sulfose tablets* were dispensed 3 times, *pentobarbital sodium capsules* and *phenylbutazone tablets* were each dispensed twice, and *Veriloid tablets* were dispensed once upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 9-6-55. \$500 fine and probation for 2 years.

5046. (F. D. C. No. 38548. S. Nos. 59-902/3 L, 59-905 L, 60-692 L, 60-754 L, 60-756/7 L.)

INFORMATION FILED: 12-9-55, W. Dist. N. C., against Harry Lee Bizzell, t/a Bizzell Pharmacy, Charlotte, N. C., and Elbert A. Moffitt (an employee).

CHARGE: Between 6-21-54 and 7-16-54, *capsules containing a mixture of secobarbital sodium and amobarbital sodium* were dispensed 3 times (counts 1, 4, and 6) and *dextro-amphetamine sulfate tablets* were dispensed 4 times (counts 2, 3, 5, and 7), without a prescription.

PLEA: Nolo contendere—by Bizzell to all counts and by Moffitt to counts 1, 2, 3, 4, and 6.

DISPOSITION: 4-23-56. Each defendant fined \$500.

5047. (F. D. C. No. 38567. S. Nos. 29-121 M, 30-003/6 M, 30-012/14 M.)

INFORMATION FILED: 1-25-56, Dist. N. J., against Rutherford Drug Store, Inc., Rutherford, N. J., Irving Schiffman (president) and Benjamin Mattes (pharmacist).

CHARGE: Between 5-13-55 and 6-21-55, a quantity of *Selsun Sulfide suspension* was dispensed without a prescription (count 5); and *phenylbutazone tablets* were dispensed 4 times (counts 1, 4, 7, and 8) and *capsules containing a mixture of secobarbital sodium and amobarbital sodium* were dispensed 3 times (counts 2, 3, and 6) upon request for prescription refills without authorization by the prescribers.

PLEA: Guilty—by corporation to all counts of the information; by Schiffman to counts 2, 3, 4, 5, 6, 7, and 8; and by Mattes to counts 1, 2, and 3.

DISPOSITION: 3-16-56. Corporation fined \$500; Schiffman fined \$500 and placed on probation for 5 years; Mattes fined \$250 and placed on probation for 3 years. Each individual sentenced to imprisonment for 1 year, but execution of sentence suspended.

5048. (F. D. C. No. 37870. S. Nos. 11-809/12 M, 11-818 M, 12-283/4 M.)

INFORMATION FILED: 6-1-55, Dist. N. J., against Warner Drugs, Inc., Bradley Beach, N. J., and Max M. Warner (president).

CHARGE: Between 12-15-54 and 1-5-55, *Veriloid tablets* were dispensed once without a prescription, and *Benzedrine Sulfate tablets* were dispensed twice and *capsules containing a mixture of secobarbital sodium and amobarbital sodium* were dispensed 4 times upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 6-24-55. Corporation and individual each fined \$250 with respect to 4 counts of the information.

On the remaining 3 counts of the information, the court suspended the sentence against the corporation and placed the individual on probation for 2 years.