

VIOLATIVE SALES OF PRESCRIPTION DRUGS

4461. Misbranding of secobarbital sodium capsules. U. S. v. Isadore M. Pressman. Plea of guilty. Defendant fined \$500 and sentenced to 1 year in jail; jail sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 35570. Sample No. 75183-L.)

INDICTMENT RETURNED: March 29, 1954, District of Columbia, against Isadore M. Pressman, a pharmacist for the Randolph Pharmacy, Washington, D. C.

NATURE OF CHARGE: On or about February 2, 1954, while a number of *secobarbital sodium capsules* were being held for sale at the Randolph Pharmacy, after shipment in interstate commerce, the defendant caused a number of the capsules to be dispensed without a prescription from a practitioner licensed by law to administer such drug. Such act of dispensing was contrary to Section 503 (b) (1), and resulted in the dispensed drug being misbranded while held for sale.

DISPOSITION: June 11, 1954. The defendant having entered a plea of guilty, the court fined him \$500 and sentenced him to 1 year in jail, but suspended the jail sentence and placed him on probation for 1 year.

4462. Misbranding of secobarbital sodium capsules and tablets containing a mixture of amobarbital and dextro-amphetamine sulfate. U. S. v. Bogard Drug Co. and Joseph A. Bogard. Pleas of nolo contendere. Fine of \$400 against company, and \$100 against individual, plus costs. (F. D. C. No. 35799. Sample Nos. 61994-L, 61995-L, 61998-L, 61999-L.)

INFORMATION FILED: March 31, 1954, District of Nebraska, against the Bogard Drug Co., a corporation, Omaha, Nebr., and Joseph A. Bogard, vice president of the corporation and manager of its store.

NATURE OF CHARGE: On or about October 27 and 29 and November 2 and 4, 1953, while a number of *secobarbital sodium capsules* and *tablets containing a mixture of amobarbital and dextro-amphetamine sulfate* were being held for sale at the Bogard Drug Co., after shipment in interstate commerce, the defendants caused various quantities of the drugs to be dispensed upon requests for refills of written prescriptions therefor without obtaining authorization by the prescriber. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: May 13, 1954. Pleas of nolo contendere having been entered, the court imposed a fine of \$400 against the corporation and \$100 against the individual, plus costs.

4463. Misbranding of amphetamine sulfate tablets and tablets containing a mixture of sulfamerazine, sulfadiazine, sulfamethazine, and penicillin G potassium, with calcium carbonate and other excipients. U. S. v. Lester E. Downie and Grant Gardner. Pleas of guilty. Fine of \$500 against Lester E. Downie and \$350 against Grant Gardner. (F. D. C. No. 35569. Sample Nos. 64480-L, 64482-L, 64483-L.)

INFORMATION FILED: April 27, 1954, District of Oregon, against Lester E. Downie, manager and pharmacist for Taylor's Payless Drug Store, Ontario, Oreg., and against Grant Gardner, a pharmacist for the store.

NATURE OF CHARGE: On or about June 18, 24, and 29, 1953, while a number of *amphetamine sulfate tablets* and *tablets containing a mixture of sulfa-*

merazine, sulfadiazine, sulfamethazine, and penicillin G potassium, with calcium carbonate and other excipients were being held for sale at Taylor's Payless Drug Store, after shipment in interstate commerce, various quantities of the drugs were dispensed without a prescription from a practitioner licensed by law to administer such drugs. Lester E. Downie was charged with causing the acts of dispensing involved in each count of the information, and Grant Gardner was joined as a defendant in count 3 of the information. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: July 16, 1954. Lester E. Downie having entered a plea of guilty to counts 1 and 2 of the information and Grant Gardner having entered a plea of guilty to count 3, the court fined Lester E. Downie \$500 and Grant Gardner \$350.

4464. Misbranding of pentobarbital sodium capsules and amphetamine sulfate tablets. U. S. v. Harry Rosenbloom (Rosenbloom Cut Rate Drugs). Plea of guilty. Fine of \$500, plus costs. (F. D. C. No. 35825. Sample Nos. 63051-L, 63059-L.)

INFORMATION FILED: May 14, 1954, Eastern District of Missouri, against Harry Rosenbloom, trading as Rosenbloom Cut Rate Drugs, St. Louis, Mo.

NATURE OF CHARGE: On or about December 8 and 23, 1953, while a number of *pentobarbital sodium capsules* and *amphetamine sulfate tablets* were being held for sale at Rosenbloom Cut Rate Drugs, after shipment in interstate commerce, the defendant caused various quantities of the drugs to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: May 28, 1954. The defendant having entered a plea of guilty, the court fined him \$500, plus costs.

4465. Misbranding of methamphetamine hydrochloride tablets. U. S. v. Otto Gerstner. Plea of guilty. Fine, \$200. (F. D. C. No. 35815. Sample No. 17603-L.)

INFORMATION FILED: May 24, 1954, Southern District of California, against Otto Gerstner, a pharmacist for the Federal Drug Co., San Diego, Calif.

NATURE OF CHARGE: On or about March 20, 1953, while a number of *methamphetamine hydrochloride tablets* were being held for sale at the Federal Drug Co., after shipment in interstate commerce, the defendant caused a number of the tablets to be dispensed upon request for a refill of a written prescription for the tablets, without obtaining authorization by the prescriber. Such act of dispensing was contrary to Section 503 (b) (1), and resulted in the dispensed drug being misbranded while held for sale.

DISPOSITION: July 19, 1954. The defendant having entered a plea of guilty, the court fined him \$200.

4466. Misbranding of Gantrisin tablets, thyroid tablets, and Dexedrine Sulfate tablets. U. S. v. Anthony S. Carabillo (Wappingers Drug Store). Plea of guilty. Fine, \$100. (F. D. C. No. 35834. Sample Nos. 51200-L, 51201-L, 51206-L to 51209-L, incl., 51224-L, 51225-L.)

INFORMATION FILED: June 7, 1954, Southern District of New York, against Anthony S. Carabillo, trading as Wappingers Drug Store, Wappingers Falls, N. Y.