

VIOLATIVE SALES OF PRESCRIPTION DRUGS

5501. (F.D.C. No. 40449. S. Nos. 69-528/9 M, 69-531/2 M, 69-534/6 M, 69-538/9 M.)

INFORMATION FILED: 11-21-57, E. Dist. Pa., against David Klebanoff, t/a Galen Drug Store, Philadelphia, Pa., and Ralph Shayne and Marvin L. Doroshow (pharmacists).

CHARGE: Between 3-30-57 and 4-25-57, *Tuinal capsules* (counts 1, 4, 5, 6, 7, and 8) were dispensed 6 times and *Seconal Sodium capsules* (counts 2, 3, and 9) were dispensed 3 times, upon requests for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere by Klebanoff to all counts of information, by Shayne to counts 4, 7, and 9, and by Doroshow to count 8.

DISPOSITION: 2-7-58. The court fined Klebanoff \$900, Shayne \$150, and Doroshow \$50.

5502. Supplement to notice of judgment on drugs and devices, No. 4974. Violation of probation. (F.D.C. No. 38535. S. Nos. 69-532 M, 69-536 M, 69-539 M.)

On 1-27-56, upon a plea of nolo contendere to the charge of dispensing *Tuinal capsules* and *thyroid tablets* without a prescription and *Tuinal capsules* and *Gantrisin tablets* upon request for prescription refills without authorization by the prescriber, the defendant, Ralph Shayne, was fined \$900 and placed on probation for 3 years.

On 2-18-58, the defendant was brought before the court on a charge of violating his probation with respect to his acts of illegally dispensing *Tuinal capsules* and *Seconal Sodium capsules*, for which acts he was convicted on 2-7-58, as reported above in notice of judgment No. 5501. At the conclusion of the hearing, the court fined the defendant \$350 for violation of probation and extended the period of probation for 2 years.

5503. Supplement to notice of judgment on drugs and devices, No. 5140. Violation of probation. (F.D.C. No. 38153. S. No. 35-514 P.)

On 6-29-56, upon a plea of guilty to the charge of dispensing *capsules containing ergot and apiol* twice without a prescription, the defendant, Isadore Arthur Shenk, t/a Garden Pharmacy, Philadelphia, Pa., was fined \$2,000, given a sentence of 2 years in prison, which was suspended, and placed on probation for 5 years.

On 5-27-58, the defendant was brought before the court for hearing on a charge of violating his probation by dispensing *Achromycin capsules* once without a prescription. The hearing was concluded on 5-28-58, at which time the court entered an order revoking probation. Under this order, the court directed that the defendant be committed to prison for 6 months and that probation recommence after the termination of the sentence.

An appeal was taken by the defendant to the United States Court of Appeals; and, on 10-28-58, with the consent of the defendant, the appeal was dismissed with prejudice.

5504. (F.D.C. No. 39840. S. Nos. 35-505/6 M.)

INFORMATION FILED: 6-12-57, S. Dist. Ohio, against James J. Mazzei, t/a Mazzei Pharmacy, Cincinnati, Ohio.

CHARGE: Between 12-6-56 and 1-2-57, *Aminopterin Sodium tablets* and *Ergoapiol with savin capsules* were each dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 8-9-57. Defendant fined \$500 and sentenced to 1 year in jail. Jail sentence suspended.

5505. (F.D.C. No. 40457. S. Nos. 38-284 M, 38-500 M, 38-755 M, 38-760 M, 44-232 M.)

INFORMATION FILED: 1-31-58, W. Dist. Mo., against A. Brandenberger Drug Co., a corporation, Jefferson City, Mo., and Erben J. Scheidt and Harley E. Nichols (pharmacists).

CHARGE: Between 10-15-56 and 2-7-57, *penicillin G potassium tablets*, which had been fabricated in the State of Missouri from penicillin G potassium that had been shipped in interstate commerce (counts 1, 2, 3, 4), were dispensed 4 times and *Meticorten tablets* (count 5), which had been shipped in interstate commerce into the State of Missouri (count 5), were dispensed once without a prescription.

PLEA: Guilty by corporation to all 5 counts of information, by Scheidt to counts 2 and 4, and by Nichols to counts 3 and 5.

DISPOSITION: 1-31-58. Corporation fined \$250, plus costs, and each individual fined \$50.

5506. (F.D.C. No. 39852. S. Nos. 39-962/4 M, 39-966 M, 39-968 M, 39-976/7 M, 39-979/80 M.)

INFORMATION FILED: 11-13-56, N. Dist. Ill., against Dressler Drugs (a partnership), Chicago, Ill., and John J. Cvopa, Jerome J. Glass, and Ernest Sallemi (pharmacists).

CHARGE: Between 1-10-56 and 2-23-56, *penicillin G potassium tablets* (counts 4 and 7) and *Gantrisin tablets* (counts 5 and 8) were each dispensed twice and *Duracillin troches* (count 1), *penicillin G potassium troches* (count 2), *Duracillin buffered tablets* (count 3), *Dewedrine Spansule capsules* (count 6), and *amphetamine sulfate tablets* (count 9) were each dispensed once, without a prescription.

PLEA: Nolo contendere by partnership to counts 1 through 7 of information, by Cvopa to counts 1, 2, and 7, by Glass to counts 3, 4, 6, and 9, and by Sallemi to counts 5 and 8.

DISPOSITION: On 12-21-56, the court imposed fines of \$1,000 against Glass, \$450 against Cvopa, and \$300 against Sallemi, plus costs; and, on 11-4-57, the court fined the partnership \$200, plus costs.

5507. (F.D.C. No. 40464. S. Nos. 1-455/8 M, 39-750 M, 39-752 M.)

INFORMATION FILED: 2-19-58, N. Dist. Ga., against James H. Alexander, t/a Wieuca Pharmacy, Atlanta, Ga.

CHARGE: Between 5-23-57 and 5-31-57, *capsules containing a mixture of secobarbital sodium and amobarbital sodium* were dispensed once and *secobarbital sodium capsules* were dispensed twice upon requests for prescription refills without authorization by the prescriber, and *Pentids tablets*, *Gantrisin tablets*, and *Metandren Linguets* were each dispensed once without a prescription.

PLEA: Nolo contendere.