

CHARGE: Between 1-5-57 and 7-5-57, a quantity of *chloral hydrate*, capsules containing *pentobarbital sodium*, and capsules containing a mixture of *Seconal Sodium* and *Amytal Sodium* were each dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 2-7-58. \$1,000 fine, suspended sentence of 1 year in jail, and probation for 4 years.

5518. (F.D.C. No. 40609. S. Nos. 81-861/3 M.)

INFORMATION FILED: 6-24-57, N. Dist. Tex., against Herbert Iven Sims, Dallas, Tex.

CHARGE: Between 12-6-56 and 3-5-57, the defendant caused *Daprisal tablets* to be dispensed to himself without a prescription once at each of 3 different drugstores in Dallas, Tex., by displaying a false, forged, and counterfeit writing purporting to be a prescription for the tablets.

PLEA: Guilty.

DISPOSITION: 6-24-57. Defendant sentenced to 13 months in jail.

5519. (F.D.C. No. 40443. S. Nos. 62-468 M, 62-472 M.)

INFORMATION FILED: 12-12-57, E. Dist. N.Y., against Sydney S. Luchen, t/a Luchen's Pharmacy, Brooklyn, N.Y.

CHARGE: On 3-1-57, *Meticorten tablets* were dispensed once without a prescription and *Gantrisin tablets* were dispensed once upon request for a prescription refill without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 1-9-58. \$750 fine.

5520. (F.D.C. No. 38576. S. Nos. 5-041/2 M, 5-044 M, 5-058/9 M, 5-399 M, 17-894 M.)

INDICTMENT RETURNED: 5-29-56, N. Dist. Ill., against Cosmopolitan Drug Co. (a partnership), Chicago, Ill., and Abraham Weinstein and Melvin Weinstein (partners) and Harold M. Weinstein (an employee of the partnership).

CHARGE: Between 1-7-55 and 3-30-55, *Savatan capsules* (counts 1 and 2) were dispensed twice and *Gantrisin tablets* (counts 3 to 7, incl.) were dispensed 5 times, without a prescription.

DISPOSITION: A motion for dismissal of the indictment was filed on behalf of the defendants, based on the ground that the indictment was duplicitous in that it charged both the individual members of a partnership and the partnership itself as an entity. Thereafter, following consideration of the briefs and arguments of counsel, the court, on 6-7-57, dismissed the indictment against the partnership.

On 11-25-57, pleas of guilty were entered by Melvin Weinstein to counts 1, 6, and 7 of the indictment, by Abraham Weinstein to counts 2, 3, and 4, and by Harold M. Weinstein to count 5. On the same day, the court fined Melvin and Abraham Weinstein \$750 each and Harold M. Weinstein \$250.