

5966. (F.D.C. No. 42397. S. Nos. 28-304/8P.)

INFORMATION FILED: 12-12-58, N. Dist. Ala., against Hodges Drug Store (a partnership), Scottsboro, Ala., Charles E. Hodges (partner), and Ethridge B. Thompson (pharmacist).

CHARGE: Between 4-22-58 and 4-28-58, *Lotusate tablets* (counts 1, 3, and 4) were dispensed 3 times and *Composicillin-V tablets* (counts 2 and 5) were dispensed twice upon requests for prescription refills without authorization by the prescriber.

PLEA: Guilty by the partnership to all counts; by Hodges to counts 1, 2, and 3; and by Thompson to counts 4 and 5.

DISPOSITION: 1-30-59. Each defendant fined \$200.

5967. (F.D.C. No. 42031. S. Nos. 35-513 P, 35-515 P, 35-517 P, 35-519 P.)

INFORMATION FILED: 9-29-58, E. Dist. Pa., against Martin Katz, t/a Martin's Drugs, Philadelphia, Pa.

CHARGE: Between 1-27-58 and 2-27-58, *Achromycin-SF capsules* (count 1) and *Achromycin capsules* (count 2) were each dispensed once and *Tuinal capsules* (counts 3 and 4) were dispensed twice without a prescription.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before a court and jury on 3-16-59, at which time counts 1 and 2 were dismissed on grounds of entrapment. On 3-18-60, the jury returned a verdict of guilty to counts 3 and 4. Thereafter, the defendant filed motions for acquittal on the ground of entrapment and for a new trial. The motions were denied on 3-31-60, and, on 4-19-60, the defendant was fined \$250.

5968. (F.D.C. No. 41173. S. Nos. 76-917 M, 76-922 M, 76-925 M, 76-928 M, 76-933 M.)

INFORMATION FILED: 5-27-58, N. Dist. Ga., against Albert Francis Moore, t/a Moore's Pharmacy, Cedartown, Ga., and Wilburn Lee Brown (pharmacist).

CHARGE: Between 7-11-57 and 8-8-57, *Tuinal capsules* were dispensed 5 times upon requests for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere by Moore to all counts and by Brown to counts 1, 3, and 5.

DISPOSITION: 11-4-59. Moore fined \$250 and Brown fined \$75. Each defendant placed on probation for 1 year.

5969. (F.D.C. No. 43052. S. Nos. 1-190 P, 1-193 P, 1-886 P, 2-629 P, 2-635/6 P, 2-643/4 P, 2-649/50 P.)

INFORMATION FILED: 4-17-59, W. Dist. N.C., against Allen Drug Co. (a partnership), Cherryville, N.C., and Harry H. Allen, Sr. and William Franklin Allen (pharmacists and partners in the partnership).

CHARGE: Between 4-29-58 and 6-19-58, *Pen-Vee tablets* (counts 1, 2, 4, and 6), and *Seconal Sodium capsules* (counts 3, 5, 7, and 8) were each dispensed 4 times and *Nembutal capsules* (counts 9 and 10) were dispensed twice upon request for prescription refills without authorization by the prescribers.

PLEA: Guilty, by the partnership to all counts; by Harry H. Allen, Sr. to counts 1, 2, 3, 8, and 10; and by William Franklin Allen to counts 4, 5, 6, 7, and 9.