

VIOLATIVE SALES OF PRESCRIPTION DRUGS

6341. (F.D.C. No. 42480. S. No. 66-005 P.)

INFORMATION FILED: 10-5-59, Dist. Conn., against Charles W. Christiansen, alias Charlie Benjamin, at Stamford, Conn.

CHARGE: On 8-27-59, *amphetamine sulfate tablets* were dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 12-9-59. \$500 fine.

6342. (F.D.C. No. 42483. S. Nos. 46-607/8 P.)

INFORMATION FILED: 5-9-60, N. Dist. Ala., against Medical Specialties Corp., South Birmingham, Ala., Ernest L. Wade (secretary-treasurer of the corporation), and Charles F. Rattray, t/a Sutherlin Drug Store, Gadsden, Ala.

CHARGE: The information alleged in count 1 that the defendants did, on 9-1-58 and continuing thereafter to 12-14-59, conspire, combine, confederate, and agree together and with divers other unknown persons to commit offenses against the United States, namely, to unlawfully dispense articles of drugs consisting of unknown quantities of *amphetamine sulfate tablets* and *amphetamine sulfate capsules* while such drugs were held for sale after shipment in interstate commerce, thereby causing such drugs to become misbranded.

It was alleged further as a part of the conspiracy that the defendants would purchase large amounts of amphetamine sulfate drugs which had been shipped in interstate commerce into the State of Alabama; that the defendants would sell and dispense such drugs in large quantities to customers without a physician's prescription; and that the defendants would deliver such drugs to customers in unlabeled containers.

It was alleged further that in furtherance of the conspiracy and to effect the objects thereof, the defendants did commit the following overt acts:

(1) between 9-1-58 and 12-14-59, Medical Specialties Corp., and Ernest Wade caused to be ordered and purchased large supplies of *amphetamine sulfate tablets* and *amphetamine sulfate capsules* from various manufacturers in Tennessee, Pennsylvania, and Texas;

(2) pursuant to such orders, large supplies of *amphetamine sulfate tablets* and *amphetamine sulfate capsules* were shipped from Tennessee, Pennsylvania, and Texas into Alabama consigned to the Medical Specialties Corp.;

(3) on 11-11-59, Ernest Wade unlawfully dispensed a number of *amphetamine sulfate tablets* to a Government agent, known to Ernest Wade as a truck driver, without a prescription therefor;

(4) between 11-2-59 and 12-14-59, Ernest Wade referred the above-mentioned Government agent to Charles Rattray for the purpose of making further purchases of amphetamine sulfate drugs;

(5) on 11-25-59, Charles Rattray unlawfully dispensed a number of *amphetamine sulfate tablets* to a Government agent, known to him as a truck driver, without a prescription therefor;

(6) between 11-2-59 and 12-14-59, conversations were had between a Government agent, posing as a truck driver, and Ernest Wade, and between the same Government agent and Charles Rattray concerning the making of arrangements for the purchase, by the Government agent, of $\frac{1}{2}$ million *amphetamine sulfate tablets* and *amphetamine sulfate capsules*;