

VIOLATIVE SALES OF PRESCRIPTION DRUGS

4081. Misbranding of Benzedrine Sulfate tablets and Dexedrine Sulfate tablets. U. S. v. James Hendelberg. Plea of guilty. Fine of \$1,000 or sentence of 60 days in jail. (F. D. C. No. 33752. Sample Nos. 3005-L, 3006-L.)

INFORMATION FILED: November 20, 1952, District of Columbia, against James Hendelberg, Washington, D. C.

NATURE OF CHARGE: On or about September 27, 1952, the defendant unlawfully sold, within the District of Columbia, certain dangerous, harmful, or toxic drugs, without a physician's prescription, namely, *Dexedrine Sulfate tablets* and *Benzedrine Sulfate tablets*. Such acts of sale were in violation of Section 503 (b) (1) and resulted in the drugs being misbranded.

DISPOSITION: December 9, 1952. The defendant having entered a plea of guilty, the court sentenced him to serve 60 days in jail or, in the alternative, to pay a fine of \$1,000.

4082. Misbranding of dextro-amphetamine sulfate tablets, sulfadiazine tablets, and Neotrizine tablets. U. S. v. Professional Pharmacy, Inc., and Patrick J. Santangelo. Plea of guilty by corporation to all 12 counts of information; plea of guilty by individual defendant to counts 7 and 9. Corporation fined \$600. Individual defendant fined \$250 on count 9; imposition of sentence on count 7 against individual suspended and this defendant placed on probation for 2 years. (F. D. C. No. 34304. Sample Nos. 24190-L, 36969-L, 36974-L, 36977-L, 37334-L, 37335-L, 37340-L, 37341-L, 37699-L, 37892-L, 37894-L, 37899-L.)

INFORMATION FILED: March 4, 1953, District of New Jersey, against Professional Pharmacy, Inc., Red Bank, N. J., and Patrick J. Santangelo, manager of the corporation.

NATURE OF CHARGE: On or about May 6, 13, 16, 20, 22, 27, and 28, 1952, while quantities of *dextro-amphetamine sulfate tablets*, *sulfadiazine tablets*, and *Neotrizine tablets* were being held for sale at Professional Pharmacy, Inc., after shipment in interstate commerce, the corporation caused various quantities of the drugs to be dispensed upon request for refills of written prescriptions, without obtaining authorization by the prescribing physician. Patrick J. Santangelo was joined as a defendant in counts 7 and 9 of the information, relating to the dispensing of a number of *Neotrizine tablets* and *dextro-amphetamine sulfate tablets*. The dispensing of the drugs involved was contrary to Section 503 (b) (1) and resulted in the drugs so dispensed being misbranded while held for sale.

DISPOSITION: May 4, 1953. The corporation entered a plea of guilty to each of the 12 counts of the information, and the individual entered a plea of guilty to counts 7 and 9. The court fined the corporation \$50 on each of the 12 counts, or a total of \$600, and fined the individual \$250 on count 9. The court also suspended the imposition of sentence against the individual on count 7 and placed him on probation for 2 years.