

VIOLATIVE SALES OF PRESCRIPTION DRUGS

4461. Misbranding of secobarbital sodium capsules. U. S. v. Isadore M. Pressman. Plea of guilty. Defendant fined \$500 and sentenced to 1 year in jail; jail sentence suspended and defendant placed on probation for 1 year. (F. D. C. No. 35570. Sample No. 75183-L.)

INDICTMENT RETURNED: March 29, 1954, District of Columbia, against Isadore M. Pressman, a pharmacist for the Randolph Pharmacy, Washington, D. C.

NATURE OF CHARGE: On or about February 2, 1954, while a number of *secobarbital sodium capsules* were being held for sale at the Randolph Pharmacy, after shipment in interstate commerce, the defendant caused a number of the capsules to be dispensed without a prescription from a practitioner licensed by law to administer such drug. Such act of dispensing was contrary to Section 503 (b) (1), and resulted in the dispensed drug being misbranded while held for sale.

DISPOSITION: June 11, 1954. The defendant having entered a plea of guilty, the court fined him \$500 and sentenced him to 1 year in jail, but suspended the jail sentence and placed him on probation for 1 year.

4462. Misbranding of secobarbital sodium capsules and tablets containing a mixture of amobarbital and dextro-amphetamine sulfate. U. S. v. Bogard Drug Co. and Joseph A. Bogard. Pleas of nolo contendere. Fine of \$400 against company, and \$100 against individual, plus costs. (F. D. C. No. 35799. Sample Nos. 61994-L, 61995-L, 61998-L, 61999-L.)

INFORMATION FILED: March 31, 1954, District of Nebraska, against the Bogard Drug Co., a corporation, Omaha, Nebr., and Joseph A. Bogard, vice president of the corporation and manager of its store.

NATURE OF CHARGE: On or about October 27 and 29 and November 2 and 4, 1953, while a number of *secobarbital sodium capsules* and *tablets containing a mixture of amobarbital and dextro-amphetamine sulfate* were being held for sale at the Bogard Drug Co., after shipment in interstate commerce, the defendants caused various quantities of the drugs to be dispensed upon requests for refills of written prescriptions therefor without obtaining authorization by the prescriber. Such acts of dispensing were contrary to Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

DISPOSITION: May 13, 1954. Pleas of nolo contendere having been entered, the court imposed a fine of \$400 against the corporation and \$100 against the individual, plus costs.

4463. Misbranding of amphetamine sulfate tablets and tablets containing a mixture of sulfamerazine, sulfadiazine, sulfamethazine, and penicillin G potassium, with calcium carbonate and other excipients. U. S. v. Lester E. Downie and Grant Gardner. Pleas of guilty. Fine of \$500 against Lester E. Downie and \$350 against Grant Gardner. (F. D. C. No. 35569. Sample Nos. 64480-L, 64482-L, 64483-L.)

INFORMATION FILED: April 27, 1954, District of Oregon, against Lester E. Downie, manager and pharmacist for Taylor's Payless Drug Store, Ontario, Oreg., and against Grant Gardner, a pharmacist for the store.

NATURE OF CHARGE: On or about June 18, 24, and 29, 1953, while a number of *amphetamine sulfate tablets* and *tablets containing a mixture of sulfa-*