

a plea of nolo contendere on 12-17-56. On 1-3-57, the court fined the defendant \$200 plus costs.

5087. (F. D. C. No. 37265. S. Nos. 90-343 L, 90-345/6 L, 90-349/50 L, 90-450 L, 8-650 M.)

INFORMATION FILED: 6-30-55, Dist. Nebr., against Allison J. Koory (also known as Abie Koory), t/a Koory Variety Store, Omaha, Nebr.

CHARGE: Between 9-22-54 and 12-22-54, *amphetamine sulfate tablets* were dispensed 4 times and *pentobarbital sodium capsules* were dispensed 3 times without a prescription.

DISPOSITION: In accordance with the defendant's motion, which was sustained by the court, a bill of particulars was filed by the Government on 8-15-55. On 9-8-55, the defendant entered a plea of not guilty, which was changed to a plea of nolo contendere on 12-17-56. On 1-3-57, the court sentenced the defendant to 6 months in prison, which was suspended, and placed him on probation for 2 years.

5088. (F. D. C. No. 38592. S. Nos. 29-135 M, 29-556 M, 29-595 M.)

INFORMATION FILED: 3-14-56, Dist. N. J., against Isadore Davis, t/a Sussex County Drug Co., Newton, N. J.

CHARGE: Between 8-16-55 and 8-25-55, *Dexedrine Sulfate tablets and capsules containing a mixture of secobarbital sodium and amobarbital sodium* were each dispensed once without a prescription, and *Butazolidin tablets* were dispensed once upon request for a prescription refill without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 5-1-56. \$300 fine.

5089. (F. D. C. No. 38129. S. Nos. 470 M, 6-192 M.)

INFORMATION FILED: 7-2-56, S. Dist. Ind., against Maynel W. Dalby, Sr., president of University Drug Store, Inc., Muncie, Ind.

CHARGE: On 2-23-55, *Dexedrine Sulfate tablets* were dispensed once without a prescription, and *pentobarbital sodium capsules* were dispensed once upon request for a prescription refill without authorization by the prescriber.

PLEA: Guilty.

DISPOSITION: 8-10-56. \$700 fine, plus costs.

5090. (F. D. C. No. 38511. S. Nos. 6-617/8 M, 19-241/2 M.)

INDICTMENT FILED: 12-12-55, N. Dist. Ohio, against Prospect Drug Co., Inc., Cleveland, Ohio, and Samuel Grossman, president of the corporation.

CHARGE: 3-11-55 and 3-15-55, *dextro-amphetamine sulfate tablets* and *pentobarbital sodium capsules* were each dispensed twice without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 9-19-56. Suspended fine of \$100 against corporation; individual sentenced to imprisonment for 181 days.

5091. (F. D. C. No. 37863. S. Nos. 10-790/2 M.)

INFORMATION FILED: 9-28-55, S. Dist. Tex., against Thomas W. Cooper (pharmacist for O. S. T. Pharmacy, Inc.), Houston, Tex.

CHARGE: Between 12-1-54 and 12-4-54, *dextro-amphetamine sulfate tablets* were dispensed 3 times without a prescription.

PLEA: Not guilty.

DISPOSITION: The case came on for trial before the court without a jury on 11-15-55, and at its conclusion, the court found the defendant guilty. On 7-6-56, the court sentenced the defendant to 4 months in prison, but suspended this sentence, and placed him on probation for 2 years without supervision.

5092. (F. D. C. No. 38574. S. Nos. 35-901/6 M.)

INFORMATION FILED: 3-3-56, N. Dist. Ind., against Hubert H. Fischer, t/a Fischer's Drug Store, Kendallville, Ind.

CHARGE: Between 8-24-55 and 9-12-55, *Benzedrine Sulfate tablets* were dispensed 3 times, and *Gantrisin tablets*, *dextro-amphetamine sulfate tablets*, and *pentobarbital sodium capsules* were each dispensed once, without a prescription.

PLEA: Nolo contendere..

DISPOSITION: 6-25-56. \$300 fine; jail sentence of 1 year on each of the 6 counts of the information suspended and defendant placed on probation for 5 years.

5093. (F. D. C. No. 38588. S. Nos. 37-220 M, 47-507 M, 47-520 M.)

INDICTMENT RETURNED: 2-16-56, Dist. N. J., against Reginald Doyle Groves, t/a Groves Pharmacy, Newark, N. J.

CHARGE: Between 12-5-55 and 1-9-56, *Benzedrine Sulfate tablets*, *Racephen tablets*, and *capsules containing a mixture of secobarbital sodium and amobarbital sodium* were each dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 4-27-56. Defendant sentenced to serve 2 years in jail, given 3-year suspended jail sentence, and given 5 years' probation to start on completion of jail sentence.

5094. (F. D. C. No. 38578. S. Nos. 17-987 M, 17-997 M, 18-312 M.)

INFORMATION FILED: 2-23-56, Dist. N. J., against Louis H. Fortgang, t/a Prebol Drug Co., Passaic, N. J.

CHARGE: Between 5-13-55 and 5-24-55, *Seconal Sodium capsules* and *Butazolidin tablets* were each dispensed once upon requests for prescription refills without authorization by the prescribers, and *dextro-amphetamine sulfate tablets* were dispensed once without a prescription.

PLEA: Guilty.

DISPOSITION: 5-10-56. \$300 fine; jail sentence of 1 year suspended and defendant placed on probation for 1 year.

5095. (F. D. C. No. 38552. S. Nos. 2-864 M, 2-867 M, 2-872 M, 3-443 M, 3-449 M, 3-621 M, 3-652 M.)

INFORMATION FILED: 4-25-56, Dist. Mass., against Phillips Drug Co., Inc., Boston, Mass., Charles C. Spagnolo (president), and Joseph Greenblatt (pharmacist).