VIOLATIVE SALES OF PRESCRIPTION DRUGS

5501. (F.D.C. No. 40449. S. Nos. 69–528/9 M, 69–531/2 M, 69–534/6 M, 69–538/9 M.)

INFORMATION FILED: 11–21–57, E. Dist. Pa., against **David Klebanoff, t/a Galen Drug Store, Philadelphia, Pa., and Ralph Shayne and Marvin L. Doroshow (pharmacists).**

CHARGE: Between 3–30–57 and 4–25–57, *Tuinal capsules* (counts 1, 4, 5, 6, 7, and 8) were dispensed 6 times and *Seconal Sodium capsules* (counts 2, 3, and 9) were dispensed 3 times, upon requests for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere by Klebanoff to all counts of information, by Shayne to counts 4, 7, and 9, and by Doroshow to count 8.

DISPOSITION: 2–7–58. The court fined Klebanoff $900, Shayne $150, and Doroshow $50.

5502. Supplement to notice of judgment on drugs and devices, No. 4974. Violation of probation. (F.D.C. No. 38535. S. Nos. 69–532 M, 69–536 M, 69–539 M.)

On 1–27–56, upon a plea of nolo contendere to the charge of dispensing *Tuinal capsules* and *thyroid tablets* without a prescription and *Tuinal capsules* and *Gantrisin tablets* upon request for prescription refills without authorization by the prescriber, the defendant, **Ralph Shayne,** was fined $900 and placed on probation for 3 years.

On 2–18–58, the defendant was brought before the court on a charge of violating his probation with respect to his acts of illegally dispensing *Tuinal capsules* and *Seconal Sodium capsules*, for which acts he was convicted on 2–7–58, as reported above in notice of judgment No. 5501. At the conclusion of the hearing, the court fined the defendant $350 for violation of probation and extended the period of probation for 2 years.

5503. Supplement to notice of judgment on drugs and devices, No. 5140. Violation of probation. (F.D.C. No. 38153. S. No. 35–514 P.)

On 6–29–56, upon a plea of guilty to the charge of dispensing *capsules containing ergot and apiol* twice without a prescription, the defendant, **Isadore Arthur Shenk, t/a Garden Pharmacy, Philadelphia, Pa.,** was fined $2,000, given a sentence of 2 years in prison, which was suspended, and placed on probation for 5 years.

On 5–27–58, the defendant was brought before the court for hearing on a charge of violating his probation by dispensing *Achromycin capsules* once without a prescription. The hearing was concluded on 5–28–58, at which time the court entered an order revoking probation. Under this order, the court directed that the defendant be committed to prison for 6 months and that probation recommence after the termination of the sentence.

An appeal was taken by the defendant to the United States Court of Appeals; and, on 10–28–58, with the consent of the defendant, the appeal was dismissed with prejudice.

5504. (F.D.C. No. 39840. S. Nos. 35–505/6 M.)

INFORMATION FILED: 6–12–57, S. Dist. Ohio, against **James J. Mazzei, t/a Mazzei Pharmacy, Cincinnati, Ohio.**