CHARGE: Between 7–17–58 and 8–27–58, *Seconal Sodium capsules* (counts 1, 2, 3, and 7) were dispensed 4 times, *Compazine Spansule capsules* (counts 4, 8, and 11) were dispensed 3 times, and *Dexedrine Sulfate tablets* (counts 6 and 10) were dispensed twice upon requests for prescription refills without authorization from a prescriber, and *AM Plus capsules* (counts 5 and 9) were dispensed twice without a prescription.

PLEA: Nolo contendere by Battaglia to all counts and by Barker to counts 1, 6, and 11.

DISPOSITION: 7–22–59. Battaglia—$400 fine; Barker—$50 fine.

5840. (F.D.C. No. 42438. S. Nos. 8–268 P, 8–290 P, 8–746 P.)

INFORMATION FILED: 4–1–59, N. Dist. N.Y., against **Benjamin Berke, t/a Berke's Drug Store, Rome, N.Y., Dominick Capponi (clerk), and Edwin L. Comins (pharmacist).**

CHARGE: Between 3–3–58 and 3–15–58, *Seconal Sodium capsules* (counts 1 and 2) were dispensed twice and *Dexedrine Spansule capsules* (count 3) were dispensed once upon requests for prescription refills without authorization from a prescriber.

PLEA: Guilty by Berke to counts 1 and 2; by Comins to count 2; and by Capponi to count 3.

DISPOSITION: 7–13–59. Berke—$700 fine; Comins and Capponi—each $200 fine.

5841. (F.D.C. No. 41172. S. Nos. 76–918 M, 76–923 M, 76–926 M, 76–931 M, 77–206 M, 77–208 M.)

INFORMATION FILED: 5–17–58, N. Dist. Ga., against **Bradford Drug Co., Inc., Cedartown, Ga., Henry Tare Bradford (president and treasurer of the corporation), and Edwin Gibson Ivey (an employee of the corporation).**

CHARGE: Between 7–11–57 and 8–5–57, *Seconal Sodium capsules* were dispensed 6 times upon requests for prescription refills without authorization by the prescriber.

DISPOSITION: The defendants having entered a plea of not guilty, the case came on for trial before the court and jury on 3–20–59. The trial was concluded on 3–24–59, with the court declaring a mistrial because of the failure of the jury to reach a verdict.

On 11–4–59, pleas of nolo contendere were entered by the corporation to all 6 counts of the information; by Henry Bradford to counts 1, 2, and 5; and by Edwin Ivey to counts 3, 4, and 6. On the same day, the court fined the corporation $125, Henry Bradford $250, and Edwin Ivey $75. The court also placed each individual on probation for 1 year.

5842. (F.D.C. No. 42446. S. Nos. 75–653 M, 22–930/1 P, 22–933 P, 22–952 P.)

INFORMATION FILED: 5–15–59, Dist. Ariz., against **Herbert C. Brightbill and Herman M. Hoffman (pharmacists), Tucson, Ariz.**

CHARGE: Between 12–19–57 and 2–25–58, *Seconal Sodium capsules* and *Thorazine tablets* were each dispensed twice and *Meticorten tablets* were dispensed once upon request for prescription refills without authorization from the prescriber.