5962. (F.D.C. No. 42478. S. Nos. 45–079 P, 45–103 P, 45–107 P.)

INFORMATION FILED: 9–30–59, Dist. Colo., against **Zachey N. Hopper, t/a Med-Row Pharmacy, Pueblo, Colo., Arthur M. Vallejos (pharmacist) and Rose Marie Baker (pharmacist).**

CHARGE: Between 5–6–58 and 11–20–58, *Seconal Sodium capsules* were dispensed once without a prescription, and *Synatan tablets* were dispensed twice upon requests for prescription refills without authorization by the prescriber.

PLEA: Nolo contendere by Hopper to the count involving the *Seconal Sodium capsules* and to one count involving the *Synatan tablets;* by Vallejos and Baker each to one count involving *Synatan tablets.*

DISPOSITION: The defendants filed motions for dismissal of the information on the grounds that (1) two persons were charged jointly with doing a single act, and that such was a misjoinder of defendants so confusing as to deny each of the defendants due process of law, (2) each charge was so ambiguous and confused as to lead to doubt as to the charge as well as the section of the law under which the charge was brought; and that each defendant was entitled to know the exact facts that led to the charge as laid in the complaint, and (3) that the complaint did not state facts sufficient upon which a criminal conviction could be had. The motions were denied on 12–4–59. Thereafter, the defendants entered pleas as indicated above. On 3–11–60, Hopper was fined $300 and Baker was fined $150. On 3–18–60, Vallejos was fined $150.

5963. (F.D.C. No. 43671. S. Nos. 47–644 P, 47–647 P, 47–976 P, 48–163 P.)

INFORMATION FILED: 12–4–59, Dist. Mass., against **Merit Super Drug, Inc., and Louis A. Katz (treasurer), Boston, Mass.**

CHARGE: Between 12–10–58 and 3–16–59, *pentobarbital sodium capsules* were dispensed 1 time and *penicillin tablets* were dispensed 3 times without a prescription.

PLEA: Guilty.

DISPOSITION: 2–8–60. Corporation—$500 fine; Katz—6 months imprisonment which was suspended, and probation for 2 years.

5964. (F.D.C. No. 43672. S. No. 46–163/8 P.)

INFORMATION FILED: About 11–12–59, N. Dist. Miss., against **Joseph Boyd Adams, t/a People's Drug Store, Vardaman, Miss.**

CHARGE: Between 1–20–59 and 1–26–59, *thyroid tablets* and *Medrol tablets* were each dispensed twice, and *penicillin tablets* and *phenobarbital tablets* were each dispensed once without a prescription.

PLEA: Nolo contendere.

DISPOSITION: 2–5–60. $600 fine.

5965. (F.D.C. No. 43213. S. Nos. 43–475 P, 43–479 P.)

INFORMATION FILED: 7–20–59, Dist. Colo., against **Farmer's Pharmacy (a partnership), Cortez, Colo., and Carl B. Skoog (a partner).**

CHARGE: Between 9–21–58 and 9–23–58, *Aristocort tablets* and *Dexedrine Sulfate tablets* were each dispensed once upon requests for refills of prescriptions without authorization by the prescribers.

PLEA: Guilty.

DISPOSITION: 9–11–59. Partnership fined $200 and individual fined $300.