

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. _____</b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: _____</b>
<b>FERDINAND B. ACZON</b>	<b>:</b>	<b>VIOLATIONS: 21 U.S.C. § 843(a)(3)(obtaining controlled substance by fraud – 1 count) 21 U.S.C. § 846 (attempt)</b>

**INFORMATION**

**COUNT ONE**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times relevant to this information:

1. Defendant FERDINAND B. ACZON, M.D. was a physician licensed by the Commonwealth of Pennsylvania with an office located at 2724 North 5th Street, Philadelphia, Pennsylvania. In addition to having a Pennsylvania medical license, defendant ACZON was registered with the federal Drug Enforcement Administration (“DEA”).
2. Under federal law, a physician could only issue a prescription for a controlled substance if it was issued for a legitimate medical purpose, and in the usual course of the physician’s professional practice. A prescription that did not meet these requirements was an invalid prescription.
3. The federal Controlled Substances Act groups controlled substances into five schedules – Schedules I, II, III, IV, and V – based upon the substances’ potential for abuse, among other things. Schedule II controlled substances have a high potential for abuse among drugs with an accepted medical use and may lead to severe psychological or physical

dependence. Abuse of Schedule III controlled substances may lead to moderate or low physical dependence or high psychological dependence.

4. Hydrocodone is the generic name for an addictive prescription painkiller that is classified under the Controlled Substances Act as a Schedule II controlled substance. It is classified as a Schedule III controlled substance when dispensed in amounts of not more than 15 milligrams per dosage unit when combined with other ingredients in recognized therapeutic amounts. When hydrocodone is legally prescribed for a legitimate medical purpose, it is typically used to combat acute, severe pain. Hydrocodone is also found in the Schedule III cough syrup called Tussionex.

5. On or about December 29, 2009, in Philadelphia, in the Eastern District of Pennsylvania, the defendant,

**FERDINAND B. ACZON**

knowingly and intentionally attempted to obtain and acquire Tussionex, a Schedule III controlled substance, by misrepresentation, fraud and deception, that is, the defendant signed and issued a prescription for Tussionex in the name of a person whom the defendant had never met or examined, and for whom the prescription was neither intended nor medically necessary, and unlawfully provided that prescription to another person known to the United States Attorney.

All in violation of Title 21, United States Code, Sections 843(a)(3) and 846.

  
**ZANE DAVID MEMEGER**  
**UNITED STATES ATTORNEY**