BIOMERICA INC Form 10-Q January 14, 2013

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#### **UNITED STATES**

# SECURITIES AND EXCHANGE COMMISSION

**WASHINGTON, D.C. 20549** 

#### **FORM 10-Q**

(Mark
One)

QUARTERLY REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE
[X]

ACT OF 1934

FOR THE QUARTERLY PERIOD ENDED NOVEMBER 30, 2012

OR

TRANSITION REPORT PURSUANT TO SECTION 13 OR 15(d) OF THE SECURITIES EXCHANGE ACT OF 1934

Commission File Number: 0-8765

#### BIOMERICA, INC.

(Exact name of registrant as specified in its charter)

**Delaware** (State or other jurisdiction of incorporation or organization)

95-2645573 (I.R.S. Employer Identification No.)

**17571 Von Karman Avenue, Irvine, CA** (Address of principal executive offices)

**92614** (Zip Code)

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# Registrant's telephone number including area code:

(949) 645-2111

(Former name, former address and former fiscal year, if changed since last report.)

(TITLE OF EACH CLASS)

(NAME OF EACH EXCHANGE ON WHICH REGISTERED) OTC-BULLETIN BOARD

Common Stock, par value \$.08

Securities registered pursuant to Section 12(g) of the Act:

(TITLE OF EACH CLASS)

# **COMMON STOCK, PAR VALUE \$0.08**

Indicate by check whether the registrant (1) filed all reports require Securities Exchange Act of 1934 during the preceding 12 months required to file such reports), and (2) has been subject to such filir	(or for such shorter period that the registrant was
Indicate by check mark whether the registrant has submitted electany, every Interactive Date File required to be submitted and post (paragraph 232.405 of this chapter) during the preceding 12 month required to submit and post such files). Yes [X] No [_]	ed pursuant to Rule 405 of Regulation S-T
Indicate by check mark whether the registrant is a large accelerate smaller reporting company. See definitions of "large accelerated f company" in Rule 12b-2 of the Exchange Act.	
Large Accelerated Filer [_] Non-Accelerated Filer [_]	Accelerated Filer [_] Smaller Reporting Company [X]
Indicate by check mark whether the Registrant is a shell company [X]	(as defined in Rule 12b-2 of the Act). Yes [_] No

Indicate the number of shares outstanding of each of the registrant's common stock, as of the latest practicable date: 6,972,339 shares of common stock, par value \$0.08, as of January 14, 2013.

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# **PART I - FINANCIAL INFORMATION**

# SUMMARIZED FINANCIAL INFORMATION

# ITEM 1. FINANCIAL STATEMENTS

# BIOMERICA, INC. AND SUBSIDIARIES CONDENSED CONSOLIDATED STATEMENTS OF OPERATIONS AND COMPREHENSIVE INCOME (UNAUDITED)

		Six Month	nded	,	Three Months Ended			
		November 30,				Novemb	30,	
		2012		2011		2012		2011
Net sales	\$	3,585,719	\$ 3	3,024,271	\$	1,883,771	\$1	,616,606
Cost of sales	(	(2,084,259)	(1	,840,446)	(	(1,114,560)	(9	949,202)
Gross profit		1,501,460		1,183,825		769,211		667,404
Operating Expenses:								
Selling, general and administrative		738,094		701,351		405,968		387,767
Research and development		203,722		171,487		115,741		85,551
Total operating expenses		941,816		872,838		521,709		473,318
Income from operations		559,644		310,987		247,502		194,086
Other Income (Expense):								
Dividend and interest income		2,243		2,780		1,127		1,316
Interest expense		(308)		(943)		-		(370)
Other Income		-		60		-		60
Total other income		1,935		1,897		1,127		1,006
Income before income tax		561,579		312,884		248,629		195,092
Provision for income taxes		(33,029)		-		(11,710)		-
Net income	\$	528,550	\$	312,884	\$	236,919	\$	195,092
Basic net income per common share	\$	0.08	\$	0.05	\$	0.03	\$	0.03
Diluted net income per common share	\$	0.07	\$	0.05	\$	0.03	\$	0.03
Dividend and interest income Interest expense Other Income Total other income Income before income tax Provision for income taxes Net income Basic net income per common share	\$	(308) - 1,935 561,579 (33,029) 528,550 0.08	\$	(943) 60 1,897 312,884 - 312,884 0.05	<b>\$</b>	1,127 248,629 (11,710) 236,919 0.03	\$	(370) 60 1,006 195,092 - 195,092 0.03

Weighted average number of common and common equivalent shares: