

MAINE STATE LEGISLATURE

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STATE OF MAINE
SENATE
101st LEGISLATURE

COMMITTEE AMENDMENT "A" to S. P. 419, L. D. 1162, Bill, "An Act Revising the Laws Relating to Apothecaries and the Sale of Poisons."

Amend said Bill by adding after section 1 a new section to read as follows:

"Sec. 1-A. R. S., c. 68, §6, amended. The first sentence of section 6 of chapter 68 of the Revised Statutes, as amended by section 5 of chapter 304 of the public laws of 1957, is further amended to read as follows:

'Every person not already registered, entering upon the ~~business-of-an apothecary~~ practice of pharmacy, upon the payment of a fee of \$25 to the secretary of said board, except as otherwise provided, shall be examined by said commissioners and shall present to them satisfactory evidence that he had been graduated from some regularly incorporated college of pharmacy and has been employed in ~~such~~ an apothecary store for at least one year, and is competent for the ~~business~~ practice of pharmacy.'"

Further amend said Bill in the 8th line of section 7 by inserting before the underlined word "book" the underlined words 'permanently bound'

Further amend said Bill in the 12th line of section 7 by striking out the underlined word "regular" and by inserting after the underlined word "physicians" the underlined punctuation and words ', dentists, podiatrists'

Further amend said Bill by adding after section 8 a new section to read as follows:

"Sec. 8-A. R. S., c. 68, §24, amended. Section 24 of chapter 68 of the Revised Statutes, as amended by section 14 of chapter 304 of the public laws of 1957, is further amended to read as follows:

'Sec. 24. Sale of certain drugs. It shall be unlawful for any person, firm or corporation to sell, furnish or give away or offer to sell, furnish or give away any veronal or barbital, or any other salts, derivatives or compounds of barbituric acid, or any registered, trademarked or copyrighted preparation registered in the United States Patent Office containing the above substance, or any drug designated by the board as a "potent medicinal substance" pursuant to section 25, except upon the written order or prescription of a physician, surgeon, dentist or veterinary surgeon, ~~provided, however, that the above.~~ These provisions shall not apply to the sale at wholesale, furnishing or giving away, or the offering to sell, furnish or give away such

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drugs, by drug jobbers, drug wholesalers and drug manufacturers and their agents and employees to registered pharmacists and the pharmacies registered under ~~the provisions of~~ section 9, nor to physicians, dentists, veterinary surgeons or hospitals, not to each other, nor to the sale at retail in pharmacies by pharmacists to each other, nor to physicians, surgeons, dentists, veterinary surgeons or hospitals. Nothing in this section shall be construed to affect the right of a physician, surgeon, dentist or veterinary surgeon in good faith and in the legitimate practice of his profession personally to administer, prescribe or deliver any of the foregoing substances to his own patients.

Nothing in this chapter shall apply to a compound, mixture or preparation ~~containing salts or derivatives of barbituric acid~~ which is sold in good faith by a pharmacy for the purpose for which it is intended and not for the purpose of evading ~~the provisions of~~ this chapter if:

I. Contains other drugs. Such compound, mixture or preparation contains a sufficient quantity of another drug or drugs, ~~in addition to such salts or derivatives,~~ to cause it to produce an action other than its hypnotic ~~or,~~ somnifacient, stimulating or depressant action; or

II. Spray or gargle. Such compound, mixture or preparation is intended for use as a spray or gargle or for external application and contains, ~~in addition to such salts or derivatives,~~ some other drug or drugs rendering it unfit for internal administration.'"

Further amend said Bill in the 3rd line of section 9 by inserting after the word and comma "time," the following underlined words and punctuation 'after notice and hearing,'

Further amend said Bill by striking out all of the 10th line of section 9 and inserting in place thereof the following:
'or to offer to sell, furnish or give away any ~~of~~ such potent medicinal'

Further amend said Bill by striking out all of the 11th and 12th lines of section 9 and inserting in place thereof the following:
"substances so designated, except as prescribed in section 24 ~~for the substances therein named.~~"

Further amend said Bill by striking out the underlined word "be" in the 4th line of the last paragraph of section 16 and inserting in place thereof the underlined word 'by'

Further amend said Bill by striking out the underlined word "paper" in the 5th line of the last paragraph of section 16 and inserting the underlined word 'papers'