

MAINE STATE LEGISLATURE

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NEW DRAFT

E I G H T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 836

H. P. 1527

House of Representatives, Mar. 7, 1933.

Reported by Mr. Bennett from Committee on Public Health and laid on table to be printed under Joint Rules.

HARVEY R. PEASE, Clerk.

New Draft of H. P. 1063, L. D. 451.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED THIRTY-THREE

AN ACT Relating to Apothecaries and the Sale of Poisons.

Be it enacted by the People of the State of Maine, as follows :

R. S., c. 23, amended. Chapter 23 of the revised statutes is hereby amended by inserting after section 36 the following new sections, to read as follows :

'Sec. 37. Sale of certain drugs regulated. 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, barbital (acid diethylbarbituric) or any of its salts, derivatives, or compounds of the foregoing substance, or its salts, derivatives or compounds, or any registered, trade marked or copyrighted preparation registered in the United States Patent Office containing more than 40 grains to the avoirdupois or fluid ounce of the above substance, except upon the written order or prescription of a physician and surgeon, dentist or veterinary surgeon, or dispensed by a pharmacist duly licensed to practice in the state of Maine: provided, however, that the above provisions shall not apply to the sale at wholesale by drug jobbers, drug wholesalers, and drug manufacturers to registered pharmacists and pharmacies registered under section 36, or to physicians, dentists, veterinary surgeons, hospitals or registered nurses, nor to each other, nor to the sale at retail in pharmacies by pharmacists to each other or to physicians

and surgeons, dentists, veterinary surgeons, hospitals or registered nurses duly licensed to practice in this state. Nothing in this section shall be construed to affect the right of a physician and surgeon, dentist, veterinary surgeon or registered nurse in good faith and in the legitimate practice of his profession personally to administer, prescribe or deliver any of the foregoing substances.

Sec. 38. Regulations. The boards of registration in medicine and pharmacy acting jointly may from time to time, by regulations, designate as potent medicinal substances, any compounds of barbituric acid, which are likely to be injurious to health if improperly used, and it shall be unlawful for any person, firm or corporation to sell, furnish or give away, or to offer to sell, furnish or give away any of such potent medicinal substances so designated except as prescribed in section 37 of this chapter for the substances therein named.

Sec. 39. Penalty. Whoever violates any provision of the 2 preceding sections or is found to be under the influence of any of the substances enumerated in section 37 of this chapter in any street, highway or other public place shall be punished by a fine of not more than \$100 or by imprisonment for not more than 6 months or by both such fine and imprisonment.'