

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty - Third Legislature

OF THE

STATE OF MAINE

1927

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-third Legislature

1927

[supplied from page 1 of volume]

Chapter 209.

An Act Relating to Apothecaries and the Sale of Poisons.

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

Sec. 1. R. S., c. 20, sec. 7; P. L., 1925, c. 78; relating to examination and certification of apothecaries, amended. Section seven of chapter twenty of the revised statutes, as amended by chapter seventy-eight of the public laws of nineteen hundred and twenty-five, is hereby further amended by striking out said section and substituting in place thereof the following:

'Sec. 7. Applicants must be high school graduates; exception. Every person not already registered, entering on the business of an apothecary, upon the payment of a fee of ten dollars, to the secretary of said board, except as hereinafter provided, shall be examined by said commissioners, and shall present to them satisfactory evidence that he had been an apprentice, or employed in an apothecary store where physicians' prescriptions are compounded, at least four years; or has graduated from some regularly incorporated medical college or college of pharmacy and has been employed in such an apothecary store for at least one year, and is competent for the business; the commissioners may give him a certificate of the fact and that he is authorized to engage in the business of an apothecary, and such certificate must be signed by at least two members of the commission. No such certificate shall be issued unless the applicant is at least twenty-one years of age, of good moral character, a citizen of the United States, and shall be a graduate of a high school or its equivalent. Provided, that exemption from the high school graduate requirement to registration as apothecary, shall be allowed to persons, who, before this act becomes effective, have been employed for at least four years in a drug store under the supervision of a qualified apothecary and who present to the board satisfactory evidence of such service and successfully pass the examination of said board within three years of the passage of this act. In case the result of the examination is unsatisfactory, and no certificate is granted, the applicant shall have the right to another examination without charge, after an interval of two months, and within twelve months after the date of his first examination. The board may, in its discretion, grant certificates of registration to such persons as shall furnish with their application satisfactory proof that they have been registered in some other state, provided that such other state shall require a degree of competency equal to that required of applicants of this state. Only one of the partners in a firm need be a registered druggist, provided, the partner who compounds medicines be registered. All certificates issued under the provisions of this chapter shall be constantly displayed, in a

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conspicuous place, in the store or shop of the persons to whom the same were issued.'

Sec. 2. R. S., c. 20, sec. 11; relating to falsely assuming to be an apothecary, amended. Section eleven of said chapter twenty is hereby amended by striking out in the sixth line thereof the word "two" and inserting in place thereof the word 'five,' and by striking out in the seventh line thereof the word "four" and inserting in place thereof the word 'ten,' so that said section, as amended, shall read as follows :

'**Sec. 11. Penalties increased.** Whoever engages in or is found in charge of or carrying on a business of, or displays any drugs, medicines, drug store fittings or furnishings, or any sign recognized as peculiar to a drug store to give the appearance of an apothecary store, or claims to be or represents himself to be an apothecary, contrary to the provisions of this chapter, shall be subject to a penalty of five dollars a day for the first offence and ten dollars a day for each and every subsequent offence. All fines and forfeitures collected under the provisions of this section shall be paid to the treasurer of state and shall be considered funds of the board of commissioners of pharmacy, to be by them expended for expenses incurred in their official work.'

Sec. 3. R. S., c. 20, sec. 17; relating to rights and restrictions of registered apothecaries, amended. Section seventeen of said chapter twenty is hereby amended by striking out said section and substituting in place thereof the following :

'**Sec. 17. Drugs and medicines of a poisonous character to be sold only by registered apothecaries if one located in town; provision for such sale where no registered apothecary.** The drugs and medicinal preparations of a poisonous character of the United States Pharmacopoeia, Dispensatory, or National Formulary may be sold or dispensed only by registered apothecaries in cities, towns, or villages where registered apothecaries are located: that in cities, towns or villages where registered apothecaries are not located, and where necessity exists for some means of obtaining drugs and medicines, the commission shall designate such drugs and medicines, other than those permitted to be sold under the provisions of section twelve, of chapter twenty of the revised statutes, as might with safety to public health be sold in original packages as and when put up and labelled by qualified pharmacists; provided that nothing herein contained authorizes the sale of intoxicating liquors.'

Sec. 4. R. S., c. 20; additional provision. Chapter twenty of the revised statutes is hereby amended by adding the following section to be known as section thirty-one.

Sec. 31. Definitions of terms used in act, defined. "Commission" means Maine commission of pharmacy.

"Board" means Maine board of pharmacy.

"Medicine" means a drug or preparation of drugs for use as a curative or remedial substance.

"Pharmacy" means the place registered by the board in which drugs, chemicals, medicines, prescriptions or poisons are compounded, dispensed, or retailed.

"Physician" means a practitioner of medicine duly registered under the laws of Maine or some other state.

"Dentist" means a practitioner of dentistry duly registered under the laws of Maine or some other state.

"Veterinarian" means a practitioner of veterinary duly registered under the laws of Maine or some other state.

"Poison" means any drug, chemical or preparation liable to be destructive to human life in quantities of sixty grains or less.

"Supervision" means under the direct charge or direction and does not contemplate any continued absence of such supervision.

"Proprietary Medicine" means remedies that certain individuals, firms, associations, or corporations have the exclusive right to manufacture or sell.

"Apothecary" or "Pharmacist" means a person who prepares, dispenses, or sells drugs or medicines and authorized by the commission to conduct the business of apothecary.

"Apothecary store" means a place where drugs or chemicals or medicines are compounded, dispensed or sold, and registered by the commission.

"Secretary" means the secretary of the Maine board of pharmacy.'

Approved April 15, 1927.

Chapter 210.

An Act Concerning Financial Responsibility for Damages Caused by the Operation of Motor Vehicles.

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

Sec. 1. Proof of financial responsibility required from persons convicted of operating while intoxicated or of reckless driving; amount; registra-