

MAINE STATE LEGISLATURE

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ACTS AND RESOLVES

AS PASSED BY THE

Eighty-sixth Legislature

OF THE

STATE OF MAINE

From April 4, 1931, to March 31, 1933

AND MISCELLANEOUS STATE PAPERS

Published by the Secretary of State in conjunction with the Revisor of Statutes in accordance with the Resolves of the Legislature approved June 28, 1820, March 18, 1840, March 16, 1842, and an Act approved April 2, 1931.

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PUBLIC LAWS
OF THE
STATE OF MAINE

As Passed by the Eighty-sixth Legislature

1933

[supplied from page 1 of volume]

Chapter 204.

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 or barbital or any other salts, derivatives or compounds of barbituric acid, 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 pharmacy 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.'

Approved March 28, 1933.