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PHARMACY.

Representing State Associations.

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Representing State Boards of Pharmacy

Alabama, W. E. Bingham; Arizona, T. L. McCutchen; Arkansas, Frank Schlachleiter; Colorado, Frank E. Mortensen; Connecticut, John A. Levery; Delaware, Reuben M. Kaufman; Georgia, Charles D. Jordan; Idaho, T. M. Starrh; Illinois, Frederick T. Provost; Indiana, Jerome J. Kenne; Iowa, David E. Hadden; Kansas, W. S. Henrion; Kentucky, Addison Dimmitt; Louisiana, E. H. Walsdorf; Maine, Frank T. Crane; Maryland, J. Fuller Frames; Massachusetts, Albert J. Brunelle; Michigan, Leonard A. Seltzer; Minnesota, R. L. Morland; Mississippi, T. O. Slaughter; Missouri, Charles Gietner; Montana, W. R. Montgomery; Nevada, Robert L. Prouty; New Hampshire, Herbert E. Rice; New Jersey, Lewis W. Brown; New Mexico, B. G. Dyne; New York, Warren L. Bradt; North Carolina, W. W. Horne; North Dakota, H. L. Haussamen; Ohio, Edward Voss, Jr.; Oklahoma, J. C. Burton; Oregon, J. Lee Brown; Pennsylvania, Lucius L. Walton; Rhode Island, Howard A. Pearce; South Carolina, H. E. Heinitsh; South Dakota, F. W. Halbkat; Tennessee, O. J. Nance; Texas, W. H. Cousins; Utah, John Culley; Vermont, Wilfred Root; Virginia, W. L. Lyle; Washington, D. B. Garrison; West Virginia, Alfred Walker; Wisconsin, Edward Williams; Wyoming, C. B. Gunnell.

AN ACT TO REGULATE THE PRACTICE OF PHARMACY AND TO CONTROL AND
REGULATE THE MANUFACTURE, SALE AND DISTRIBUTION OF DRUGS,
CHEMICALS, POISONS AND POTENT DRUGS.

Be it enacted by the General Assembly of—

SECTION 1.—Definitions: (a) the term "pharmacist" when not otherwise limited means a person licensed by the State Board of Pharmacy, to prepare, compound and dispense physicians' prescriptions, drugs, medicines and poisons; (b) the term "pharmacy" when not otherwise limited means a place registered by the State Board of Pharmacy in which drugs, chemicals, medicines, prescriptions and poisons are compounded, dispensed and retailed; (c) the term "drug dealer" means one who conducts a fixed place of business and who is registered by the Board of Pharmacy to distribute and sell drugs, chemicals, medicines and poisons in original packages only, as prepared by or under the supervision of a licensed pharmacist; (d) "chemicals" where not otherwise limited means the chemical materials of medicine; (e) "drugs" where not otherwise limited means all substances used as medicines or in the preparation of medicines; (f) "medicines" where not otherwise limited means drugs or chemicals, or preparation thereof, in suitable form for the prevention, relief and cure of disease, when used either internally or externally by man or for animal; (g) "Pharmacopoeia" when not otherwise limited means the latest edition of the Pharmacopoeia of the United States of America; (h) "National Formulary" means the latest edition of that work as published by the "American Pharmaceutical Association;" (i) "Board" or "Board of Pharmacy" wherever used in this Act, unless otherwise specifically indicated, shall mean the State Board of Pharmacy of this state.

SECTION 2: There shall exist and be maintained within the state a State Board of Pharmacy with duties and powers as hereinafter defined and provided. The State Board of Pharmacy shall consist¹ of five (5) members, and the now existing State Board of Pharmacy heretofore appointed shall continue in office and act as the State Board of Pharmacy with all the duties and powers as herein provided until the terms of its present members, respectively, expire, the vacancies as they annually occur to be filled in keeping with the requirements of this Act. Hereafter in making appointments to the State Board of Pharmacy the appointees shall have been licensed Pharmacists under this or some former law of the state, for a period of at least five (5) years, and at the time of their appointment a majority of them shall be engaged in retail pharmacy. At least a majority of the members of the State Board² of Pharmacy shall be graduates of a college or school of pharmacy, and if the now existing State Board of Pharmacy is not so constituted the first occurring vacancies of the Board shall be filled with appointees meeting such qualification, except in the case of re-appointment of present members, and such qualification for at least a majority of the Board shall thereafter be maintained. Members of the State Board of Pharmacy to be appointed under this Act, shall be appointed by the Governor and shall serve for a term of five (5) years, or until their successors are appointed, and have duly qualified. Vacancies occurring in the Board other than by expiration of term shall be filled for the unexpired term only. The members of the Board shall be paid ten (\$10.00) dollars per diem, and their necessary expenses while actually engaged in the performance of the duties of the Board. Annually, the State Pharmaceutical Association may from among its membership nominate five (5) candidates for the next occurring vacancy on the Board of Pharmacy, who shall meet the requirements as herein provided, and from among the nominees, when regularly submitted and certified by the president and secretary of the State Association, or from others having the necessary qualification, the Governor shall make his appointment for vacancies occurring in the Board of Pharmacy. Appointees to the Board of Pharmacy shall within thirty (30) days after their appointment take and subscribe an oath or affirmation before a properly qualified officer, that they will faithfully and impartially perform the duties of their office, which oath or affirmation shall be filed with the Secretary of State.

SECTION 3: The State Board of Pharmacy shall organize by electing a president, vice-president, secretary and treasurer, all of whom shall be elected annually, and all but the secretary shall be members of the Board. The officers of the existing Board shall continue to so act until the term for which they have been elected shall expire. The Board shall have power to make rules and regulations for the proper performance of its duties, and the duties of its officers and employees and to carry out the provisions of this Act. The president of the Board shall preside at all of its meetings and in his absence or inability to preside the vice-president shall so act. The treasurer at stated periods as ordered by the Board shall receive and receipt for all moneys turned over to him by the secretary which are then to be paid by him into the State Treasury on or before the —— day of every month, to the credit of a fund for the use of the State Board of Pharmacy, and he shall file with the Auditor of State a detailed verified statement of such receipts and payments. The compensation and expense of the members, officers and employees of the Board including the State Drug Commissioner shall be paid out of this fund, and out of such necessary appropriations toward said fund as shall be provided by the state. All disbursements on account of the Board shall be made upon requisition signed by its president and secretary and the warrant of the Auditor of State. The treasurer of the State Board of Pharmacy shall receive a compensation of \$—— per annum, and shall be required to give a bond to the state in the sum of \$—— with surities approved by the Board, conditioned upon the faithful discharge of his duties. The secretary of the State Board of Pharmacy shall be its executive officer, and shall be in charge of its offices. He shall make, keep and be in charge of all the records and record books required to be

¹ This number may be increased when deemed to be expedient.

² Where all members are desired to be engaged in retail pharmacy it can be so provided.

kept by the Board. He shall receive all fees to be collected under this Act and also collect, receive and receipt for all fines imposed under this Act in prosecutions brought by the State Board of Pharmacy, or under its direction, and at regular intervals, as ordered by the Board, shall pay the same over to the treasurer of the Board and take the treasurer's receipt therefor. He shall keep a register of all who under this Act are required to be licensed, and also of all places of business required to be registered hereunder, shall attend to all correspondence of the Board and shall perform such other special secretarial duties which the Board may charge him to perform, in keeping with the office of secretary. The officers, including the secretary of the State Board of Pharmacy, shall be empowered to administer oaths in connection with the duties of the Board. The secretary shall receive a salary to be fixed by the Board and all his necessary expenses, incurred while in the performance of his official duties. He shall give a bond to the state in the sum of \$—— otherwise similar to the bond required from the treasurer. The bonds required to be given by the treasurer and by the secretary and by employees, under regulation of the Board, shall be deposited with the Secretary of State, and kept in his office. The books and registers of the Board as made and kept by the secretary or under his supervision, subject to the direction of the Board, shall be *prima facie* evidence of the matter therein recorded, in any court of law. The Board shall as an Examining Board meet at least four times each year in the city of ——, or at such other place within the state as it may designate at any regular session.

SECTION 4: There is hereby created the office of a State Drug Commissioner, who under the control and supervision of the State Board of Pharmacy, and in its name is directly charged with the enforcement of all laws coming within the jurisdiction of the Board. The State Drug Commissioner shall be appointed by the State Board of Pharmacy for a term of —— years at a salary of \$—— per annum. The State Drug Commissioner for at least five (5) years prior to his appointment shall have been licensed to practice pharmacy, and he shall be a graduate of a college or school of pharmacy. Vacancies in the office of the State Drug Commissioner shall be filled by the Board for the unexpired term. The State Drug Commissioner shall employ all necessary chemists, agents and clerical help for the proper conduct of his office, as may be from time to time determined by the State Board of Pharmacy, and all of his appointments shall be passed upon and approved or disapproved by the State Board of Pharmacy at its next regular session after the appointments are made. The State Drug Commissioner shall report upon his official duties to the State Board of Pharmacy at all its regular sessions, and at such other times as it may direct.

SECTION 5: It shall be the duty of the State Board of Pharmacy through the State Drug Commissioner and through its officers and employees appointed under its supervision for that purpose, to enforce all laws of the state, now or hereafter enacted, which pertain to the practice of pharmacy, the manufacture, production, sale or distribution of drugs, chemicals and poisons, and to their standard of strength and purity. All fines and fees imposed and recovered under this Act shall be collected by and paid to the secretary of the State Board of Pharmacy, to be by him turned over to the treasurer of the Board, by whom the same are to be paid into the State Treasury. As an Examining Board it shall examine all persons in the art and science of pharmacy and its allied branches, who meet the necessary qualification as herein provided and who make application for a license as Pharmacist, Assistant Pharmacist, Medical, Dental or Veterinary Dispenser, and Drug Dealer.

SECTION 6: The compounding and manufacture of drugs and medicines and their sale and distribution at retail or to consumers, when of potent or poisonous character as defined in this Act, shall be limited exclusively to persons who are licensed for that purpose under the provisions of this Act, or under the supervision of such, provided that all persons now licensed within this state as Pharmacists or Assistant Pharmacists shall have all the rights which are granted to Pharmacists and Assistant Pharmacists, under this Act, when complying with the requirements thereof as hereinafter set out; and, provided further, that nothing contained in this Act shall be construed to prevent the personal administration of drugs and medicines carried or kept for emergencies, by licensed dentists, physicians and veterinarians, in order to supply the immediate need of their patients.

For the purpose of this Act, there shall be and are hereby made provisions for the licensing of Pharmacists, Assistant Pharmacists, Medical, Dental and Veterinary Dispensers, and Drug Dealers, each having the right hereinafter provided, and being subject to the limitations and restrictions as respectively made.

(a) A Pharmacist shall have the right to conduct a pharmacy for the compounding of medicines upon physicians' prescriptions, and for the manufacture, sale and distribution of drugs, medicines and poisons.

(b) An Assistant Pharmacist shall have the right to do all things that may be done by a Pharmacist, when in a pharmacy or place of business conducted under the supervision of a Pharmacist.

(c) Medical, Dental and Veterinary Dispensers, who must also be by this state licensed physicians, dentists or veterinarians, shall have the right only to compound and dispense medicines which they prescribe for persons or animals under their medical treatment, and such compounding and dispensing shall be strictly incident to the practice of medicine, dentistry or veterinary medicines.

(d) Drug Dealers, when conducting fixed places of business at least _____ miles distant from a pharmacy, shall have the right to distribute and sell potent drugs and medicines, and poisons as compounded and prepared under the supervision of Pharmacists licensed in this or other states, when properly labeled under the name of a licensed Pharmacist, known wholesale dealer, or manufacturer of drugs and chemicals.

SECTION 7: (a) Every applicant for a license as a Registered Assistant Pharmacist shall be not less than eighteen (18) years of age, and shall have at least three (3) years of practical experience in a pharmacy where physicians' prescriptions are compounded, and shall have successfully completed not less than one (1) year of instruction in a recognized college or school of pharmacy, for which credit shall be given as practical experience covering the time of college course pursued. Every applicant shall furnish proof of preliminary education equal to graduation from a high school of this state.

(b) Every applicant for a license as a Registered Pharmacist shall be not less than twenty-one (21) years of age, and shall be a graduate of a recognized college or school of pharmacy; shall have at least two (2) years of practical experience as a registered Assistant Pharmacist in a pharmacy where physicians' prescriptions are compounded, provided not more than one (1) of said two (2) years may be credited for a course successfully completed at a recognized college or school of pharmacy; shall furnish proof of preliminary general education equal to graduation from a high school of this state. It is hereby provided that a graduate of a recognized college or school of pharmacy lacking the required practical experience shall be permitted to take an examination on theoretical subjects at any regular examination of applicants and at any time after graduation, a record of the credits secured being made and kept by the State Board of Pharmacy, the practical examination in such case to be taken at the end of the required five (5) year period.

(c) Every applicant for registration as a licensed Medical, Dental or Veterinary Dispenser shall give proof of registration under the laws of the state, as a physician, dentist or veterinarian.

(d) Every applicant for registration as a Drug Dealer shall be not less than twenty-one (21) years of age, and shall give proof of having attained at least a common school education, entitling to entrance of a high school in the state.

SECTION 8: Every applicant for registration as licensed Pharmacist and Assistant Pharmacist shall, to prove respective requisite knowledge, be examined to a proper varying degree in the subjects of chemistry, botany, materia medica, toxicology, and the theory and practice of pharmacy. Every applicant for a license as Medical, Dental or Veterinary Dispenser shall be examined for fitness to compound and dispense drugs and medicines to patients. Every applicant for a license as Drug Dealer shall be suitably examined for fitness to distribute and sell drugs and medicines; provided, however, that all licensed physicians, dentists and veterinarians of this state, who, when this Act takes effect, have been accustomed to compound and dispense medicines which they prescribe for their patients, may on application to the Board of Pharmacy within ninety (90) days from that date, upon

affidavit, setting out such fact, become licensed without examination, as such Medical, Dental or Veterinary Dispenser; and Drug Dealers who prior to, and at the time that this Act takes effect, have been engaged as such within the state, may within ninety (90) days from that date become licensed as such without examination, upon application to the Board of Pharmacy, giving satisfactory proof.

SECTION 9: Every person who hereafter desires to engage in pharmacy, with a view of becoming licensed as Assistant Pharmacist and as Pharmacist, shall, upon entering employment in a pharmacy register as an Apprentice with the State Board of Pharmacy, and for every such person the requisite practical experience shall be determined from the date of registration. A fee of fifty (50) cents shall accompany an application for registration as Apprentice, and a certificate shall be issued by the Board to such applicant. A person who before or after this Act takes effect may have served part of his apprenticeship in some other state not requiring such registration shall give proof of such service satisfactory to the Board. Persons who immediately prior to the time when this Act becomes effective have been employed in a retail pharmacy, with a view of becoming licensed as an Assistant Pharmacist or as a Pharmacist, shall for that purpose be given credit for the time so spent, in becoming registered as Apprentice.

SECTION 10: It shall be unlawful for any person to impersonate an applicant before the State Board of Pharmacy applying for registration or license under the provisions of this Act. Any person violating this Section shall be guilty of a misdemeanor, and upon conviction shall pay a fine of not more than one hundred (\$100.00) dollars, or be imprisoned for not more than six (6) months, or either, or both, in the discretion of the court.

SECTION 11: Persons desiring to enter a college or school of pharmacy shall give proof of the required general education prior to admittance thereto. The necessary proof of an entrance examination shall consist either of a certificate issued by the proper school authorities, or in successfully passing an examination before an Entrance Examiner, appointed by the Board for that purpose, at suitable compensation, to be allowed by the Board. The Entrance Examiner, under the authority of the Board, shall issue to such persons, properly qualifying and applying therefor, a certificate of preliminary education.

SECTION 12: The Board of Pharmacy shall make and promulgate the requirements for recognition of colleges and schools of pharmacy, subject to changes as may be deemed necessary by it. The requirements shall include provisions for a course of instruction, equipment and professorial staff.

SECTION 13: Every applicant for examination as Pharmacist shall pay an examination fee of ten (\$10.00) dollars; every applicant for examination as Assistant Pharmacist, Medical, Dental or Veterinary Dispenser, or as Drug Dealer, shall pay an examination fee of five (\$5.00) dollars. Certificates of registration and license shall be issued to Pharmacists on payment of a fee of five (\$5.00) dollars, and to Assistant Pharmacists, Medical, Dental or Veterinary Dispensers, and Drug Dealers, on payment of a fee of three (\$3.00) dollars. Certificates of Preliminary Education shall be issued at a fee of three (\$3.00) dollars. Every applicant for reciprocal registration as Pharmacist, in addition to the fee covering cost of investigation, shall pay a fee of \$——— and Assistant Pharmacist a fee of \$———. All fees shall be paid to the State Board of Pharmacy, and by it covered into the State Treasury, to the credit of the State Board of Pharmacy.

SECTION 14: The State Board of Pharmacy may in its discretion grant certificates of registration as licensed Pharmacist or Assistant Pharmacist, to persons who furnish proof that they have been licensed as such, by examination in some other state, and that they are of good moral character, provided, that such other state in its examinations require the same general degree of fitness as is required by examination in this state, and that the applicant qualifies in all other respects as is required for licensing by examination in this state, excepting that persons who have become licensed by examination in other states, prior to the time that this Act takes effect, and who have continuously, thereafter, been engaged in pharmacy, shall be required to meet only the requirements which existed in this state at the time when they became licensed in such other state, and, provided also, that such other state or states in like manner grant reciprocal licensing to Pharmacists and Assistant Pharmacists of this state. Applicants for reciprocal licensing in

this state shall defray all necessary expense for making an investigation of their character, general reputation and pharmaceutical standing, in the state where they resided, such expense not to exceed the sum of ten (\$10.00) dollars.

SECTION 15: The State Board of Pharmacy, in order to be informed and to determine the status of Boards of Pharmacy of other states desiring reciprocal licensing and in order also to be advised regarding the progress of pharmacy throughout the country, shall annually select one of its members to meet at the expense of the Board, with like representatives from other State Boards of Pharmacy. At such meetings, when arranged, there shall be discussed the degree of fitness which is required by the several State Boards of Pharmacy for granting licenses. Such representatives of the several State Boards of Pharmacy may adopt rules and regulations which shall guide the several Boards in the matter of reciprocal licensing, but abidance therewith shall be optional and at the discretion of the State Board of Pharmacy. The State Board of Pharmacy through its representatives may with like representatives from other State Boards of Pharmacy join in creating and maintaining an association of representatives of the several State Boards of Pharmacy, to be engaged in the general advancement of pharmacy and in the keeping of records pertaining to the reciprocal licensing of Pharmacists, and at its discretion the Board may give to such association information which it possesses relative to such aims. The State Board of Pharmacy at an expense not to exceed one hundred (\$100.00) dollars, per annum, may subscribe for and secure the service of an association engaged in the compilation of pharmaceutical information, knowledge and progress, specially adapted to secure efficiency in the work of the Board.

SECTION 16: The license of any Pharmacist, Assistant Pharmacist, Medical, Dental or Veterinary Dispenser or Drug Dealer, may be suspended or revoked by the Board of Pharmacy, when the license is proved to the Board to have been obtained by fraudulent means, or when the licentiate has been convicted of felony or is found by the Board to be guilty of gross immorality, or to be addicted to the liquor or drug habit to such a degree as to render him unfit to compound, sell or distribute drugs and medicines. Suspension or revocation of a certificate shall be only after due notice and hearing and for the purpose of such hearing the Board or any member thereof or its secretary is authorized to examine witnesses under oath and to take oaths or affirmations, and to reduce the testimony given in any such case to writing. Within thirty (30) days after the suspension or revocation of a license the licentiate may take an appeal to any court of record of the state, of competent jurisdiction, and pending such appeal the decision of the Board shall be suspended until the court renders judgment which shall be final in the case, and if the decision of the Board is not sustained, the licentiate shall be reinstated.

SECTION 17: There shall be kept in every Pharmacy and in every Medical, Dental or Veterinary Dispensary, a copy of the latest revision of the United States Pharmacopoeia, and the latest revision of the National Formulary, and if homeopathic remedies are compounded and dispensed, a copy of the latest revision of the Homeopathic Pharmacopoeia of the United States, which books must be open to the inspection of the Board of Pharmacy, the Drug Commissioner and their properly authorized agents and employees. Any person violating this Section shall, upon conviction, be fined the sum of ten (\$10.00) dollars and the cost of prosecution.

SECTION 18: All certificates as Pharmacist and Assistant Pharmacist, Medical, Dental or Veterinary Dispenser, and Drug Dealer, shall at all times be conspicuously displayed in the place of business or dispensary where the licentiate is engaged as such. Any licentiate violating this Section, upon conviction, shall be fined the sum of ten (\$10.00) dollars and the cost of prosecution.

SECTION 19: Every place in or from which drugs, chemicals, medicines, prescriptions or poisons are compounded, dispensed or sold at retail shall (except as otherwise provided by law) be a pharmacy or drug store in charge of and under the supervision of a licensed Pharmacist; a dispensary conducted for the need of patients only by a licensed Medical, Dental or Veterinary Dispenser; or a store conducted by and under the supervision of a licensed Drug Dealer. Every such place shall be annually registered in the month of January

with the Board of Pharmacy, on application forms provided for that purpose by the Board, on request, and the Board shall thereupon issue a suitable certificate of registration which shall be conspicuously displayed in the respective place of business. Applications for registration as a pharmacy or drug store shall include information regarding the names of all pharmacists, assistant pharmacists and registered apprentices who are employed therein. Only places in charge of a licensed Pharmacist may use the title "Pharmacy," "Pharmacist," "Apothecary" or "Drug Store," and each must be under the separate management of a licensed Pharmacist, who shall not engage to manage or supervise more than one such place, but nothing contained in this Section shall prevent a person from owning and conducting more than one pharmacy, provided each be under the separate supervision of a licensed Pharmacist. For the registration of every place herein required to be registered there shall be paid an annual registration fee of one (\$1.00) dollar by the person desiring its registration. Any person failing to register his place of business as herein required, failing to have in charge of each pharmacy a licensed Pharmacist, who does not manage or supervise more than one pharmacy, or who otherwise fails to comply with the provisions of this Section, shall upon conviction be fined the sum of not less than ten (\$10.00) dollars, nor more than fifty (\$50.00) dollars for each separate offense.

SECTION 20: The Board of Pharmacy shall make from time to time uniform rules and regulations, which are to govern it and its officers, and the Drug Commissioner and all employees in the enforcement of this Act. It shall prescribe, publish and furnish all application forms for license or registration, which are required under this Act.

SECTION 21: It shall be unlawful for any person who is not a licensed Pharmacist, licensed Assistant Pharmacist, licensed Medical, Dental or Veterinary Dispenser, or Drug Dealer, or who is not under the direct and immediate supervision of either of such licentiates operating within their lawful spheres, to compound, manufacture, sell or distribute at retail, or advertise to do so, any potent drugs or poison as hereinafter defined, or any other chemical, drug, or medicine, intended for internal or external use, excepting only that this provision shall not apply to the personal administration of drugs and medicines by physicians, dentists, and veterinarians, in keeping with Section 6 of this Act. It shall be unlawful for Medical, Dental or Veterinary Dispensers to compound, sell and distribute potent drugs or poisons, except for use by bona fide patients, who are under their medical treatment. It shall be unlawful for any Drug Dealer to compound or manufacture potent drugs, poisons or preparations containing the same, and it shall be unlawful for such Drug Dealer to sell or distribute potent drugs and poisons, except in original packages as prepared by and under the supervision of a licensed Pharmacist of this or some other state, territory or the District of Columbia, properly labeled to meet all requirements of the law, and bearing the name of the original distributor or manufacturer. Any person violating the provisions of this Section shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten (\$10.00) dollars, nor more than five hundred (\$500.00) dollars, or sentenced to imprisonment for not more than one (1) year, either, or both, in the discretion of the court.

SECTION 22: The term "Poison" shall mean to include all articles enumerated and defined in Schedule "A" and Schedule "B" hereinafter set out. The term "Potent Drug" shall mean all drugs and chemicals and their compounds and preparation which are not in Schedules "A" and "B," specifically, or by general inclusion defined as poison, but of which the adult medicinal dose is stated in standard works of medicine, materia medica, or toxicology, to be less than one fluidounce if liquid, and one avoirdupois ounce if solid.

SCHEDULE "A" POISON.

Arsenic and the compounds and chemical derivatives of arsenic, corrosive sublimate and other poisonous compounds and derivatives of mercury, phosphorus and its poisonous compounds and derivatives, tartar emetic or other poisonous salts or compounds of antimony, hydrocyanic acid, prussic acid, potassium cyanide, other cyanides and prussiates or other poisonous compounds and derivatives of cyanogen, oil of bitter almonds containing hydrocyanic acid, opium and its preparations and derivatives, aconite and its preparations, belladonna and its preparations, calabar bean and its preparations, scopola and its preparations, strophanthus and its preparations; the following organic

principles: aconitine, apomorphine, atropine, brucine, cantharidin, cocaine, codeine, coniine, digitalin, emetine, eucaine, gelsemine, homatrophine, hyoscine, hyoscyamine, morphine, diacetyl-morphine or heroin, ethyl-morphine or dionin, physostigmine or eserine, scopolamine, strophanthin, strychnine, veratrine or any of their chemical compounds, salts, or derivatives, or any other drug, chemical substance, or preparation which according to standard works on medicine, materia medica, or toxicology, is liable to be destructive to adult human life in doses of five grains or less.

SCHEDULE "B" POISON.

Cannabis, cantharides, Chinese blistering beetle, cocculus indicus, colchicum, cotton root bark, digitalis, ergot, gelsemium, hellebore, henbane, ignatia amara, phyto-lacca, nux vomica, veratrum, stramonium, savin, chloroform, ether, wood or methyl alcohol, white precipitate, red precipitate, silver nitrate, copper salts, salts of barium, lead salts, oxalic acid, mineral acids, arsenical solutions, iodine, tincture of iodine, carbolic acid, creosote, croton oil, oils of pennyroyal, rue, savin or tansy, or any other drug, chemical, substance or preparation which according to standard works on medicine, materia medica, or toxicology, while not considered as toxic in doses of five grains or less, is nevertheless liable to be destructive of adult human life in doses of sixty grains or less.

It is hereby provided that compounds and preparations containing poisons as defined in Schedules "A" and "B" in quantities of less than one adult medicinal dose to one-half fluidounce, if liquid, or one-half avoirdupois ounce, if solid, according to standard books on medicine, materia medica, or toxicology, shall not be regarded to be poisons and also that the provisions of this Act governing the sale and distribution of poisons unless otherwise provided by law, shall not apply to the sale or distribution of preparations or remedies which do not contain more than two grains of opium or more than one-fourth grain of morphine, or more than one-eighth grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluidounce, or if solid or semi-solid preparations, in one avoirdupois ounce; or to plasters, liniments, ointments, or other preparations which are prepared for external use only, and when sold or distributed for use as medicines.

SECTION 23: Whoever knowingly sells or delivers to any person otherwise than in the manner prescribed by law, any poison as defined in this Act, or sells or delivers in the manner otherwise prescribed by law any poison as defined in this Act to a minor under sixteen (16) years of age, but without the written order of an adult, shall be fined not less than ten (\$10.00) dollars, and not more than fifty (\$50.00) dollars for each offense.

SECTION 24: Whoever sells or delivers to any person a poison as defined in this Act, without having first learned by due inquiry that such person is aware of the poisonous character thereof, and that it is desired for a lawful purpose or without plainly labeling the word "Poison" and the names of two or more antidotes therefor upon the box or package containing it, or, if included in the list of Schedule "A" Poisons, delivers such poison without recording in a book kept for that purpose the intended use thereof, the date of its delivery, and the name and address of the purchaser, and the name of the dispenser, or fails to preserve said book for five (5) years and submit it at all times for inspection to proper officers of the law, shall be fined not less than ten (\$10.00) dollars nor more than fifty (\$50.00) dollars for each offense. Provided, that when poisons are dispensed in keeping with a written record made by a licensed physician, dentist or veterinarian and such written record is filed and retained by a pharmacist, physician, dentist or veterinarian for at least one (1) year, the requirements herein shall be satisfied when the container of the poisons so dispensed bears a number or mark corresponding with a number or mark on the written record, so that it may be readily identified, unless the prescribing physician, dentist or veterinarian directs that the label shall bear the word "poison."

SECTION 25: The violation of any provision of this Act for which penalties are not specifically prescribed shall be subject to a fine of not more than \$——dollars for each separate offense.

SECTION 26: All Acts or Sections heretofore enacted and now in force in this state, which are in conflict with this Act or any of its Sections are hereby repealed, provided that nothing herein contained shall be construed to amend or repeal any Acts or Sections which govern the manufacture, sale or distribution of narcotics.