

(A) IN GENERAL.

IN EACH PHARMACY THERE SHALL BE KEPT AT ALL TIMES+

~~(1)--THE TIMES THE MOST RECENT DECENNIAL REVISION~~
OF THE UNITED STATES PHARMACOPOEIA AND ITS---CURRENT
SUPPLEMENTS,--AND

~~(2)--THE--MOST--RECENT--EDITION--OF--THE~~ NATIONAL
FORMULARY AND ITS CURRENT SUPPLEMENTS.

(B) SUSPENSION OF PERMITS.

SUBJECT TO THE HEARING PROVISIONS OF § 12-410 OF THIS TITLE, IF A PHARMACY IS OPERATED IN VIOLATION OF THIS SECTION, THE BOARD MAY SUSPEND THE APPLICABLE PHARMACY PERMIT UNTIL THE PHARMACY COMPLIES WITH THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first half of the first sentence and the first half of the second sentence of Art. 43, § 251.

In subsection (a) of this section, the language "United States Pharmacopoeia and National Formulary" is substituted for the present language that refers to the "United States Pharmacopoeia" and the "National Formulary" as separate publications. The two publications have merged since present Art. 43, § 251 originally was drafted and the revision recognizes that merger.

In subsection (b) of this section, the reference to the hearing provisions of § 12-410 of this title is new language added for clarity.

Also as to subsection (b) of this section, the revised language provides that the Board "may" suspend a pharmacy permit until the pharmacy complies with the section. Although present Art. 43, § 251 could be interpreted to mean that a suspension was mandatory, the Commission to Revise the Annotated Code concluded that it was more probable that the disciplinary power under this section was intended to be consistent with the comparable provision of § 12-409 of this title, which allows the Board discretion in exercising the power to suspend or revoke a pharmacy permit. Otherwise, the Board would be compelled to suspend a pharmacy permit for even the most minor offenses under this section. This revision is called to the attention of the General Assembly.

The second half of the first sentence of present Art. 43, § 251, which provides for the inspection