

A PERSON MAY NOT SELL ANY DRUG, MEDICINE, COSMETIC, PHARMACEUTICAL PREPARATION, OR MEDICINAL PREPARATION AT ANY AUCTION SALE UNLESS THE PERSON NOTIFIES THE SECRETARY IN WRITING OF THE PROPOSED AUCTION AT LEAST 7 DAYS BEFORE THE DATE OF THE AUCTION.

(B) ORDER PROHIBITING AUCTION SALE.

(1) THE SECRETARY MAY:

(I) INSPECT ANY DRUGS, MEDICINES, COSMETICS, PHARMACEUTICAL PREPARATIONS, OR MEDICINAL PREPARATIONS THAT A PERSON PROPOSES TO SELL BY AUCTION SALE; AND

(II) ISSUE AN ORDER THAT PROHIBITS THE SALE OF ANY OF THESE IF, IN THE OPINION OF THE SECRETARY, THEY ARE UNFIT FOR HUMAN USE OR CONSUMPTION.

(2) A PERSON MAY NOT HOLD AN AUCTION SALE OF ANY DRUG, MEDICINE, COSMETIC, PHARMACEUTICAL PREPARATION, OR MEDICINAL PREPARATION IN VIOLATION OF AN ORDER ISSUED UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first, second, and third sentences of former Article 43, § 30.

4-1111. VENDING MACHINE SALE OF DRUGS OR MEDICINE.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO ANY:

- (1) SURGICAL OR DENTAL INSTRUMENT;
- (2) PHYSICAL THERAPY EQUIPMENT;
- (3) X-RAY APPARATUS; OR
- (4) COMPONENT PART OR ACCESSORY OF ANY OF THESE

ITEMS.

(B) PROHIBITED ACTS.

A PERSON MAY NOT SELL, DISTRIBUTE, OR OTHERWISE DISPOSE OF ANY DRUG, MEDICINE, PHARMACEUTICAL PREPARATION, OR MEDICAL PREPARATION BY MEANS OF A VENDING MACHINE OR OTHER SIMILAR DEVICE.

(C) PERMIT EXCEPTION.

BY RULE OR REGULATION, THE SECRETARY MAY EXEMPT ANY