

BY LAW TO PRESCRIBE DRUGS OR MEDICINES.

REVISOR'S NOTE: This subsection is new language added to avoid repetition.

(C) BOARD.

"BOARD" MEANS THE STATE BOARD OF PHARMACY.

REVISOR'S NOTE: This section is new language added to avoid repetition of the full title of the Board.

(D) CONTROLLED POISON.

"CONTROLLED POISON" MEANS ANY POISON THAT IS LISTED IN THE SCHEDULE OF CONTROLLED POISONS.

REVISOR'S NOTE: This subsection is new language added to avoid repetition.

The word "controlled" is added to conform to similar treatment given other substances that are restricted in their sale or use. See Article 27, §§ 276 through 302 of the Code, "Health -- Controlled Dangerous Substances". As to the Schedule of Controlled Poisons, see § 5-106 of this subtitle.

(E) LICENSED PHARMACIST.

"LICENSED PHARMACIST" MEANS A PHARMACIST WHO IS LICENSED BY THE BOARD TO PRACTICE PHARMACY.

REVISOR'S NOTE: This subsection is new language patterned after HO § 12-101(f) and added for clarity.

5-102. SCOPE OF SUBTITLE.

EXCEPT FOR THE LABELING REQUIREMENTS OF § 5-114 OF THIS SUBTITLE, THIS SUBTITLE DOES NOT APPLY TO THE SALE OF ANY CONTROLLED POISON:

(1) TO A PERSON WHO THE SELLER KNOWS TO BE ENGAGED IN THE ARTS, AGRICULTURE, OR INDUSTRY IF THE SELLER BELIEVES THAT THE CONTROLLED POISON IS INTENDED FOR LAWFUL USE IN THE ARTS, AGRICULTURE, OR INDUSTRY;

(2) TO A MANUFACTURER OR WHOLESALE DEALER IF THE SALE IS MADE BY A LICENSED PHARMACIST, A MANUFACTURER, OR A WHOLESALE DEALER;

(3) TO AN AUTHORIZED PRESCRIBER;

(4) TO A LICENSED PHARMACIST;