

- (5) TO A MANUFACTURER OF A PROPRIETARY MEDICINE;
- (6) TO A HOSPITAL OR SCIENTIFIC INSTITUTION;
- (7) TO A SCHOOL OR PUBLIC INSTITUTION; OR
- (8) TO A HOLDER OF A POISON PERMIT ISSUED UNDER § 5-112 OF THIS SUBTITLE, IF:

(I) THE SALE IS MADE BY A LICENSED PHARMACIST, A MANUFACTURER, OR A WHOLESALE DEALER; AND

(II) THE PERMIT AUTHORIZES ITS HOLDER TO SELL THAT CONTROLLED POISON.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 281.

In item (1) of this section, the former term "manufacturing" is deleted as included in the term "industry".

Also in item (1) of this section, the phrase "for lawful use in the arts, agriculture, or industry" is substituted for the reference to a sale to any person engaged in the arts, agriculture, or industry who is "believed to be making the purchase for legitimate use".

In items (3) and (4) of this section, the defined terms "authorized prescriber" and "licensed pharmacist" are substituted for the former phrase "registered practitioners of medicine, dentistry, pharmacy, or veterinary medicine".

Also in item (7) of the section, the former term "college" is deleted as included in the term "school".

#### 5-103. POWERS AND DUTIES OF DEPARTMENT.

##### (A) ORDERS, RULES, AND REGULATIONS.

SUBJECT TO THE NOTICE AND HEARING PROVISIONS OF THIS SECTION, THE DEPARTMENT MAY:

(1) ISSUE ORDERS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE; AND

(2) ADOPT RULES AND REGULATIONS THAT:

(I) AS NECESSARY FOR THE PROTECTION OF THE PUBLIC, PROHIBIT THE SALE OF ANY CONTROLLED POISON UNLESS