

A PERSON MAY NOT SELL, DELIVER, OR PROVIDE A CONTROLLED POISON TO AN INDIVIDUAL UNDER THE AGE OF 15 YEARS UNLESS THE SALE IS BY A WRITTEN ORDER:

(1) THAT IS SIGNED BY A RESPONSIBLE INDIVIDUAL WHO IS KNOWN TO THE PERSON SELLING, DELIVERING, OR PROVIDING THE CONTROLLED POISON; AND

(2) THAT CONTAINS THE INFORMATION REQUIRED BY § 5-115 OF THIS SUBTITLE FOR THE POISON REGISTER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 275 -- except the provision of that section that specifies the contents of the label -- and § 279 -- except the last clause of that section.

In this section, the term "individual" is substituted for the term "person" in those instances where a natural person clearly is intended. The term "person" is retained where the meaning also could be that of the broader definition given to "person" in § 1-101 of this article.

In subsection (a) of this section, the former terms "vend", "dispense", "give away", "furnish", and "dispose of", are deleted as included in the phrase "sell, deliver, or provide", and the former phrase "or cause to be vended, sold, dispensed, given away, furnished, or otherwise disposed of" is deleted as included in the phrase "directly or indirectly".

Subsection (a)(1) and (2) of this section is new language added for clarity.

In subsection (a)(3) of this section, the reference to a good faith belief is substituted for the phrase "has satisfied himself" for clarity.

In subsection (b) of this section, the phrase "known to be" is revised to modify both "of unsound mind" and "under the influence of an intoxicant" in conformity to apparent legislative intent. The former provision was ambiguous as to whether the phrase may have modified only a person of unsound mind.

5-114. LABELING REQUIREMENTS.

IN ADDITION TO ANY OTHER REQUIREMENT OF LAW, EACH CONTAINER OF CONTROLLED POISON SHALL BEAR A PLAINLY WRITTEN LABEL THAT INCLUDES: