

PART IV. PROHIBITED ACTS; PENALTIES.

5-118. FALSE ENTRY IN POISON REGISTER.

A PERSON MAY NOT:

(1) KNOWINGLY MAKE ANY FALSE OR MISLEADING ENTRY IN A POISON REGISTER; OR

(2) USE ANY FALSE NAME OR MAKE ANY OTHER MISREPRESENTATION TO OBTAIN A CONTROLLED POISON.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 276(b).

In item (2) of this section, the former phrase "representation to the person from whom the same is procured" is deleted as included in the phrase "to obtain a controlled poison".

5-119. PENALTY.

A PERSON WHO VIOLATES ANY PROVISION OF THIS SUBTITLE OR ANY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$100.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 282.

GENERAL REVISOR'S NOTE:

Former Article 43, § 283, which provided for the severability of the provisions in this title, is deleted as unnecessary in light of Article 1, § 23 of the Code.

The attention of the General Assembly is called to the fact that the operation of this subtitle may suggest the need for a substantive revision or repeal of this subtitle. The Department, the Board of Pharmacy, and the School of Pharmacy of the University of Maryland advise that the Schedule of Controlled Poisons is outdated and fails to include many modern poisons that are sold over the counter at supermarkets and hardware stores without restriction. No poison permit has ever been issued or requested. As to the Poison Register, the Maryland Poison Information Center of the School of Pharmacy and the Homicide Division of the Baltimore Police Department advise that the Poison Register is little used, in part because the controlled poisons are outdated, and is of no utility to their functions. The Board never has added any poison to the Schedule under the procedure set forth in this subtitle. Instead, the Department has issued rules and regulations that prohibit or