

(a) Except as otherwise provided in this section, only a licensed pharmacist or an individual engaged in a clinical pharmacy training program and acting under the direct supervision of a licensed pharmacist may sell or dispense a controlled poison.

(b) The Department may issue to any merchant in a rural community a poison permit that authorizes the holder to sell or otherwise dispense 1 or more controlled poisons that the Department specifies by rule or regulation.

(c) To apply for a poison permit, an applicant shall:

(1) Submit an application to the Board on the form that the Board provides; and

(2) Pay to the Board an application fee of 25 cents.]

[5-113.

(a) A person may not sell, deliver, or provide, directly or indirectly, any controlled poison unless the person:

(1) Complies with the labeling requirements of § 5-114 of this subtitle;

(2) Records the transaction in a poison register as provided in § 5-115 of this subtitle; and

(3) In good faith believes that:

(i) The individual who receives the controlled poison understands the nature of the poison; and

(ii) The controlled poison is intended for a lawful use.

(b) A person may not sell, deliver, or provide any controlled poison to any individual known to be:

(1) Of unsound mind; or

(2) Under the influence of an intoxicant.

(c) 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.]