DRAFTER'S NOTE: This clarifies the language in Article 27, § 297(i).

The language being clarified was contained in Ch. 659 of the Acts of 1972 and appears to be two sentences run together. There is a complete absence of legislative history for Ch. 659 and the Chapter Law itself reads like the codified provision. The construction of this correction seems the most reasonable construction for this provision, given the absence of legislative history.

This error has been noted a number of times during the last year, most recently by the Michie Company and by a judge of the Court of Special Appeals.

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(b) Any drug which bears a cautionary label warning against dispensing without a prescription under federal law shall be dispensed only:

[(i)] (1) Upon the written prescription of a practitioner licensed by law to administer such drugs, or

[(ii)] (2) Upon the oral prescription of such practitioner, which shall be reduced to writing and filed by the pharmacist, or

[(iii)] (3) By refilling any such written or oral prescription if such refilling is authorized by the prescriber, either in the original prescription or by oral direction. Such authorization must be reduced to writing and filed by the pharmacist.

(e) [(i)] (1) Generally the provisions of this section shall apply to the sale by any manufacturer, wholesale druggist, retail pharmacist, or jobber of prescription drugs, to any person, other than those legally qualified and authorized to purchase and hold same for use or resale, and to any practitioner's assistant who is not legally licensed to administer prescription drugs.

[(ii)] (2) No person shall be permitted to advertise through any media other than a professional or trade publication any controlled dangerous substance or prescription drug by either its "trade name" or by its generic or formulary name.

DRAFTER'S NOTE: This corrects stylistic errors in the numbering of paragraphs in Article 27, § 300(b) and (e).