

5-103. SCOPE OF TITLE.

(A) SALES OF PRESCRIPTION DRUG.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THIS TITLE DOES NOT APPLY TO THE SALE OF A PRESCRIPTION DRUG:

(I) MADE TO AN AUTHORIZED PROVIDER; OR

(II) MADE BY A MANUFACTURER, WHOLESALE DISTRIBUTOR, OR PHARMACIST LICENSED BY THE STATE TO:

1. ANOTHER MANUFACTURER, WHOLESALE DISTRIBUTOR, OR PHARMACIST LICENSED BY THE STATE; OR

2. A HOSPITAL OR INSTITUTION THAT OPERATES A DISPENSARY IN WHICH AN AUTHORIZED PROVIDER LICENSED TO ADMINISTER PRESCRIPTION DRUGS IS IN CHARGE.

(2) A SALE IS EXEMPT FROM THIS TITLE ONLY IF A RECORD OF THE SALE:

(I) IS MAINTAINED AND AVAILABLE FOR INSPECTION; AND

(II) SHOWS THE DATE OF SALE, THE NAME AND ADDRESS OF THE PURCHASER, AND THE QUANTITY PURCHASED.

(B) DRUG FOR FARM USE; CERTAIN DRUGS PREVIOUSLY AVAILABLE WITHOUT PRESCRIPTION.

THIS TITLE DOES NOT APPLY TO:

(1) THE DISTRIBUTION OF A PRESCRIPTION DRUG, DEVICE, OR SUPPLY FOR THE TREATMENT, CARE, OR CURE OF FARM ANIMALS, POULTRY, FOWL, OR OTHER ANIMALS USED IN FURTHERANCE OF FARMING ACTIVITIES;

(2) THE SALE OR OFFERING FOR SALE, OR THE DISTRIBUTION OF SEEDS, FEED FOR LIVESTOCK AND POULTRY, FERTILIZERS, LIME, LAND PLASTER, FUNGICIDES, AND INSECTICIDES; OR

(3) A DRUG THAT ON JUNE 1, 1961, COULD BE SOLD WITHOUT A PRESCRIPTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 300(d) and (f).

In subsection (a)(1)(ii)1 and 2 of this section, the references to a wholesale "distributor" are substituted for the former references to a wholesale "druggist" to reflect current nomenclature.

In subsection (a)(1)(ii)2 of this section, the former reference to being licensed "by law" is deleted as implicit in the requirement to be "licensed".

In the introductory language of subsection (b) of this section, the reference