

5-302. TERM OF REGISTRATION.

A REGISTRATION EXPIRES 2 YEARS AFTER ITS EFFECTIVE DATE.

REVISOR'S NOTE: This section is new language derived without substantive change from the reference to a two-year term of registration in the first sentence of former Art. 27, § 281(a).

The reference to two years "after its effective date" is new language added to state expressly that which only was implied in the former reference to "two years".

5-303. MANUFACTURERS AND DISTRIBUTORS.

(A) DEPARTMENT TO REGISTER APPLICANTS.

UNLESS THE DEPARTMENT DETERMINES THAT THE ISSUANCE OF THE REGISTRATION IS INCONSISTENT WITH THE PUBLIC INTEREST, THE DEPARTMENT SHALL REGISTER AN APPLICANT TO MANUFACTURE OR DISTRIBUTE CONTROLLED DANGEROUS SUBSTANCES INCLUDED IN SCHEDULE I THROUGH SCHEDULE V.

(B) FACTORS TO DETERMINE PUBLIC INTEREST.

TO DETERMINE THE PUBLIC INTEREST, THE DEPARTMENT SHALL CONSIDER:

(1) THE MAINTENANCE OF EFFECTIVE CONTROLS AGAINST DIVERSION OF PARTICULAR CONTROLLED DANGEROUS SUBSTANCES AND ANY SCHEDULE I OR SCHEDULE II SUBSTANCE COMPOUNDED FROM A CONTROLLED DANGEROUS SUBSTANCE INTO OTHER THAN LEGITIMATE MEDICAL, SCIENTIFIC, OR INDUSTRIAL CHANNELS;

(2) COMPLIANCE WITH APPLICABLE FEDERAL, STATE, AND LOCAL LAW;

(3) ANY CONVICTIONS OF THE APPLICANT UNDER FEDERAL, STATE, AND LOCAL LAWS RELATING TO THE MANUFACTURE, DISTRIBUTION, OR DISPENSING OF CONTROLLED DANGEROUS SUBSTANCES;

(4) THE APPLICANT'S EXPERIENCE IN THE MANUFACTURE AND DISTRIBUTION OF CONTROLLED DANGEROUS SUBSTANCES AND THE EFFECTIVENESS OF THE APPLICANT'S CONTROLS AGAINST DIVERSION; AND

(5) ANY OTHER FACTOR THAT IS RELEVANT TO AND CONSISTENT WITH PUBLIC HEALTH AND SAFETY.

(C) SCOPE OF REGISTRATION.

(1) A REGISTRANT MAY MANUFACTURE OR DISTRIBUTE ONLY A CONTROLLED DANGEROUS SUBSTANCE THAT IS SPECIFIED IN THE REGISTRATION.

(2) A MANUFACTURER OR DISTRIBUTOR WHO COMPLIES WITH FEDERAL LAW ON REGISTRATION, OTHER THAN FEES, IS DEEMED TO HAVE COMPLIED WITH THIS SECTION.

(D) ORDER FORMS.