

(II) EDUCATION AND EXPERIENCE REQUIREMENTS FOR PERSONNEL EMPLOYED IN POSITIONS RESPONSIBLE FOR CARRYING OUT THE DUTIES:

1. REFERENCED IN ITEM (I) OF THIS ITEM; OR
2. RELATED TO STATE PERMIT REQUIREMENTS

UNDER THIS SUBTITLE.

12-6C-08.

INFORMATION PROVIDED BY A WHOLESALE DISTRIBUTOR OR AN APPLICANT FOR A WHOLESALE DISTRIBUTOR PERMIT UNDER THIS SUBTITLE MAY NOT BE DISCLOSED TO ANY PERSON OR ENTITY EXCEPT A STATE LICENSING OR PERMITTING AUTHORITY, STATE BOARD, OR GOVERNMENT AGENCY THAT NEEDS THE INFORMATION FOR LICENSING, PERMITTING, MONITORING, OR LAW ENFORCEMENT PURPOSES.

12-6C-09.

(A) (1) A WHOLESALE DISTRIBUTOR SHALL RECEIVE PRESCRIPTION DRUG RETURNS OR EXCHANGES FROM A PHARMACY OR PHARMACY WAREHOUSE ACCORDING TO THE TERMS AND CONDITIONS OF THE AGREEMENT BETWEEN THE WHOLESALE DISTRIBUTOR AND THE PHARMACY OR PHARMACY WAREHOUSE.

(2) RETURNS OF EXPIRED, DAMAGED, RECALLED, OR OTHERWISE NONSALEABLE PRESCRIPTION DRUGS SHALL BE DISTRIBUTED BY THE RECEIVING WHOLESALE DISTRIBUTOR ONLY TO EITHER THE ORIGINAL MANUFACTURER OR A THIRD PARTY RETURNS PROCESSOR.

(3) RETURNS OR EXCHANGES OF PRESCRIPTION DRUGS, SALEABLE OR OTHERWISE, INCLUDING ANY REDISTRIBUTION BY A RECEIVING WHOLESALER, ARE NOT SUBJECT TO THE PEDIGREE REQUIREMENTS OF § 12-6C-10 OF THIS SUBTITLE IF THEY ARE EXEMPT FROM THE PEDIGREE REQUIREMENT OF THE U.S. FOOD AND DRUG ADMINISTRATION'S CURRENTLY APPLICABLE PRESCRIPTION DRUG MARKETING ACT GUIDELINES.

(4) WHOLESALE DISTRIBUTORS AND PHARMACIES SHALL BE ACCOUNTABLE FOR:

- (I) ADMINISTERING THEIR RETURNS PROCESS; AND