

Article 43 - Health

254A.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, [~~Whenever~~] WHENEVER a pharmacist [~~sells or~~] OR ANY OTHER PERSON ANY LICENSED PHYSICIAN, DENTIST, PODIATRIST, OR VETERINARIAN dispenses any medications OTHER THAN TO INPATIENTS IN HOSPITALS AND RELATED INSTITUTIONS [on prescription issued by a physician or dentist], he shall affix to the container in which the medication is [sold or] dispensed, [~~— unless the prescriber indicates that he should not, —~~] a label showing, in addition to all other information required by law:

(1) The name and strength of the medication ~~prescribed~~ DISPENSED; AND

(2) The expiration date of the medication, if known (month, year), and appropriate special handling instructions regarding proper storage[;].

(B) THE FOLLOWING MEDICATIONS ARE EXEMPT FROM THE REQUIREMENTS OF SUBSECTION (A):

(1) MEDICATION DISPENSED BY A LICENSED PHYSICIAN, DENTIST, PODIATRIST, OR VETERINARIAN IN A BONA FIDE EMERGENCY SITUATION;

(2) STARTER DOSES OF MEDICATION DISPENSED BY A LICENSED PHYSICIAN, DENTIST, PODIATRIST, OR VETERINARIAN IN THE REGULAR COURSE OF PRACTICE; AND

(3) SAMPLES OF MEDICATION DISPENSED BY A LICENSED PHYSICIAN, DENTIST, PODIATRIST, OR VETERINARIAN IN THE REGULAR COURSE OF PRACTICE.

(C) In listing the established or trade name, the label shall conform to the name used by the practitioner in his prescription, except when under the provisions of § 273A of this article the pharmacist dispenses a drug product different than that ordered by the prescriber, in which case the label must contain the established name of the drug prescribed and the name of the manufacturer or distributor of the drug product dispensed. No person shall alter, deface, or remove any label so affixed so long as any of the original contents remain. Any person failing to observe the provisions of this section is guilty of a misdemeanor, and upon conviction, shall be fined not more than \$50. Pharmacists violating this section shall be subject to disciplinary action by the Board of Pharmacy.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1979.

Approved May 29, 1979.