

HOUSE No. 1034

Bill accompanying the petition of the Board of Registration in Pharmacy relative to the sale of patent and proprietary medicines and of certain drugs, chemicals and other preparations. Public Health. January 16.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Seventeen.

AN ACT

Providing for the Sale at Retail of Patent and Proprietary Medicines and of Certain Drugs and Chemicals.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. No person, firm or corporation not hold-
2 ing a permit to conduct a retail drug business as provided
3 by chapter seven hundred and five of the acts of the year
4 nineteen hundred and thirteen, shall sell at retail, or keep
5 or expose for sale, patent and proprietary medicines or
6 drugs, chemicals or pharmaceutical preparations enumer-
7 ated in the United States pharmacopœia, national
8 formulary, and United States dispensatory unless regis-
9 tered with and a permit issued therefor by the board of
10 registration in pharmacy as herein provided.

1 SECTION 2. A permit for the sale of patent and pro-
2 prietary medicines and of certain drugs, chemicals and

3 pharmaceutical preparations enumerated in the United
4 States pharmacopœia, national formulary, and United
5 States dispensatory may be granted annually by the
6 board of registration in pharmacy to any competent
7 person, firm or corporation. Said permit shall expire on
8 the first day of July following the date of its issue. The
9 application for such permit shall be made in such manner
10 and in such form as the board of registration in pharmacy
11 shall determine, and shall be accompanied by a fee of
12 three dollars.

1 SECTION 3. Said permit shall allow the sale of patent
2 and proprietary medicines if put up properly in sealed
3 packages, duly labeled and accompanied with directions
4 for use, and with the name and address of the manu-
5 facturer or distributor thereof, in their original unbroken
6 containers, provided that such patent and proprietary
7 medicines, if for internal use, do not contain alcohol in
8 excess of the amount necessary to be used as a solvent
9 or preservative or are not deemed intoxicating liquors
10 within the meaning of chapter one hundred of the Re-
11 vised Laws; also the sale of such drugs, chemicals and
12 pharmaceutical preparations enumerated in the United
13 States pharmacopœia, national formulary and United
14 States dispensatory as may be specified upon the face of
15 the permit by the board of registration in pharmacy and
16 to be sold in the manner prescribed by said board.

1 SECTION 4. Nothing in this act shall be construed as
2 prohibiting the compounding of prescriptions or the dis-
3 pensing of medicines by any physician in the course of
4 his practice; nor to the manufacture of patent and pro-
5 prietary medicines and sale of same at wholesale only;
6 nor to the sale at wholesale only of drugs, chemicals and
7 pharmaceutical preparations enumerated in the United

8 States pharmacopœia, national formulary and United
9 States dispensatory.

1 SECTION 5. The said board may suspend or revoke a
2 permit issued hereunder for any violation of its terms in
3 the manner prescribed in section five, chapter seven hun-
4 dred and five of the acts of the year nineteen hundred
5 and thirteen.

1 SECTION 6. For the purpose of enforcing the pro-
2 visions of this act the board of registration in pharmacy
3 may annually expend a sum not exceeding six thousand
4 dollars, the same to include the salary and expenses of
5 inspectors who shall have the power to inspect all stores,
6 dispensaries, or other places of business which keep or
7 expose for sale the articles mentioned in this act, also
8 incidental office expense necessary for the proper enforce-
9 ment of the law.

1 SECTION 7. Whoever violates any provision of this act
2 shall be punished by a fine of not less than five nor more
3 than one hundred dollars.

1 SECTION 8. Section twenty-three of chapter seventy-
2 six of the Revised Laws as amended by chapter three
3 hundred and twenty-seven of the acts of the year nine-
4 teen hundred and two, section three of chapter five hun-
5 dred and twenty-five of the acts of the year nineteen
6 hundred and eight, and section one, of chapter one hun-
7 dred and seventy-two of the acts of the year nineteen
8 hundred and ten, so far as inconsistent herewith, is hereby
9 repealed.

1 SECTION 9. This act shall take effect on the first day
2 of July, nineteen hundred and seventeen.

