

after section six hundred fifty-nine, a new section to read:

Section 659.1. Sale of Salk Polio Vaccine.—(a) Any person other than a licensed physician or pharmacist, who offers for sale or sells or distributes any Salk polio vaccine at retail, is guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500), or to undergo imprisonment not exceeding one (1) year, or both.

(b) Any manufacturer who offers for sale, sells or distributes, and any person who offers for sale, sells or distributes, at wholesale or in wholesale quantities, any Salk polio vaccine to any person other than the following: (i) an agency of the United States government authorized by Federal Law to make purchases of vaccine; (ii) the Department of Health of the Commonwealth of Pennsylvania; (iii) any political subdivision; or (iv) any licensed physician or pharmacist; shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500), or to undergo imprisonment not exceeding one (1) year, or both.

APPROVED—The 6th day of October, A. D. 1955.

GEORGE M. LEADER

No. 181

AN ACT

Amending the act of May seventeen, one thousand nine hundred seventeen (Pamphlet Laws 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison"; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," further providing for the suspension and revocation of registration by the State Board of Pharmacy.

Pharmacy.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 6, act of
May 17, 1917,
P. L. 208,
amended May 11,
1949, P. L. 1095,
further amended.

Section 1. Section six, act of May seventeen, one thousand nine hundred seventeen (Pamphlet Laws 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words "drug" and "poison"; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations

for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," amended May eleven, one thousand nine hundred forty-nine (Pamphlet Laws 1095), is amended to read:

Section 6. [That the registration of any pharmacist or assistant pharmacist, under this act of Assembly, may be revoked, by the] *The State Board of Pharmacy shall have the power to revoke any registration under this act when the registration is proved to have been obtained by fraudulent means, [or suspended or revoked] and to suspend or revoke the registration of any pharmacist or assistant pharmacist for any of the following reasons:*

(1) Conviction of a second violation, in connection with the practice of pharmacy, of any law of this Commonwealth or of the United States;

(2) Paying rebates to physicians, or entering into an agreement with a physician for payment, in any form, for the recommending of the professional services of either party;

(3) *Knowingly compounding, dispensing or selling, or knowingly causing or permitting the compounding, dispensing or sale of any drug which contains more or less than the proportionate quantity of ingredient or ingredients specified by the person ordering or prescribing such drug, or which contains an ingredient or ingredients other than those specified by the person ordering or prescribing such drug, or which is of a brand or which contains an ingredient or ingredients of a brand other than that specified by the person ordering or prescribing such drug, unless, in the case of a drug dispensed pursuant to a prescription, the consent of the prescriber is first obtained: Provided, however, That nothing in this act shall be construed to prohibit the addition of such inert ingredients as may be required in the art of compounding, preparing, mixing or otherwise producing drugs.*

Before [any] *the registration [is] of any pharmacist or assistant pharmacist shall be suspended or revoked,* the holder of such registration certificate shall be given a hearing before the State Board of Pharmacy, after notice of the time and place of such hearing and of the charges made against him. At such hearing the accused may be represented by counsel, and shall be entitled to compulsory attendance of witnesses.

Suspension or
revocation of
registration.

APPROVED—The 6th day of October, A. D. 1955.

GEORGE M. LEADER