

thousand nine hundred fifty-one (Act No. 149), is hereby further amended to read as follows:

Section 322. Amount of Retirement Payment.—The retirement allowance paid under the provisions of this act shall equal annually fifty per centum of the average annual amount received by the employe as salary or wages during the two years immediately preceding the date of retirement of the employe receiving the retirement allowance, and no person receiving a retirement allowance shall be required to pay any amount into the retirement fund. No retirement allowance *hereafter paid to any beneficiary who has heretofore retired or who shall hereafter retire* shall be less than seventy-five dollars (\$75.00) per month nor shall it exceed the sum of one hundred *seventy-five dollars (\$175.00) per month. Retirement allowances shall be paid in monthly installments on warrant on the board.

Section 2. The county commissioners shall appropriate any additional moneys necessary to carry out the provisions of this act, in the manner provided by section three hundred seventeen of the act to which this is an amendment.

Appropriation of
moneys.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

No. 517

AN ACT

To further amend the act, approved the seventeenth day of May, 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," by defining "prescription"; further providing for meetings of the board and examination of pharmacists by the board; further regulating experience requirements of applicants for examination and registration as pharmacists; exempting physicians from certain requirements of the act.

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

Pharmacy.

Section 1. Sections 1, 3 and 4 of the act, approved the seventeenth day of May, one thousand nine hundred seventeen (Pamphlet Laws 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and

Sections 1, 3 and 4, act of May 17, 1917, P. L. 208, as amended by act of April 13, 1945, P. L. 231, further amended.

* "seventy-five" in original.

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," as amended by the act, approved the thirteenth day of April, one thousand nine hundred forty-five (Pamphlet Laws 231), are hereby further amended to read as follows:

Definitions.

Section 1. Be it enacted, &c., That (a) the term "pharmacy," when not otherwise limited, shall, for all the purposes of this act, be taken to mean a retail drug-store, or any place where drugs, medicine, or poisons are compounded, dispensed, prepared, or sold at retail; (b) the term "drug," as used in this act, shall include all medicine and preparations recognized in the United States Pharmacopoeia, the National Formulary, or the American Homeopathic Pharmacopoeia, for internal or external use, and any other substance, or mixture of substances, intended to be used for the cure, mitigation, or prevention of disease of either man or other animals; (c) the term "pharmacist" shall, for all purposes of this act, be deemed to mean a person who is properly registered, in accordance with this act of Assembly, as a pharmacist: Provided, however, That all persons registered as pharmacists by the State Pharmaceutical Examining Board of Pennsylvania, under the act of May twenty-fourth, one thousand eight hundred and eighty-seven, and various supplements and amendments, entitled "An act to regulate the practice of pharmacy and sale of poisons, and to prevent adulterations in drugs and medicinal preparations, in the State of Pennsylvania," shall be deemed to be pharmacists registered under this act; (d) the term "prescription" shall mean an order for drugs or medicines or combinations or mixtures thereof written or signed by a duly licensed physician, dentist, veterinarian, or other medical practitioner licensed to write prescriptions intended for the treatment or prevention of disease in man or animals.

Meeting of State Board of Pharmacy.

Section 3. The State Board of Pharmacy shall meet [at least four times a year in the city of Harrisburg, or such other place in Pennsylvania as they may deem expedient] *not less than quarterly for the transaction of routine business and at least once in every six months,* and examine all persons in the science of pharmacy and its allied branches who shall make application for registration as pharmacists; and that the said State Board

Examinations.

* "drugs" in original.

of Pharmacy, or a majority of them, shall grant to such persons as may be qualified registration and certificates of competency and qualification, which shall entitle the holders thereof to all the privileges of a pharmacist under the provisions of this act, as may be specified therein.

The examination shall consist of two parts: The first part shall consist of the theoretical examination which shall be given to all applicants, and the second part shall consist of a practical examination which shall be given to all applicants who have successfully passed the theoretical examination.

Section 4. Every person applying to the Pennsylvania Board of Pharmacy for examination and registration as a pharmacist shall be not less than twenty-one years of age and of good moral character; and be a graduate in pharmacy of some reputable and properly chartered college of pharmacy, so recognized by the State Board of Pharmacy; and must produce satisfactory evidence of having had, subsequent to [his sixteenth birthday] *entering such college of pharmacy*, practical experience in the business of retailing, compounding, or dispensing of drugs, chemicals, and poisons, and of compounding of physicians' prescriptions under the personal supervision of a registered pharmacist, one year of which practical experience must have been acquired within the United States.

Qualifications of applicants for examination and registration as pharmacists.

The practical experience required of each applicant for examination and registration shall depend on the length of the course the applicant took in the college of pharmacy, of which he is a graduate in pharmacy, as follows:

(a) If a two *years college course in pharmacy; then four years of practical experience.

(b) If a three years college course in pharmacy; then two years of practical experience.

(c) If a four years college course in pharmacy; then one year of practical experience. *This practical experience shall total fifty-two (52) weeks of forty (40) hours per week or a total of two thousand and eighty (2,080) hours. Maximum credit of thirteen (13) weeks of forty (40) hours per week will be allowed during the three summer vacations.*

Under subdivision (a) of this section credit, on the years of practical experience required, shall be given equal to the actual time of attendance in the college of pharmacy.

Credit for practical experience may be given for experience acquired in the drug dispensary of a regular

* "year" in original.

public hospital which is conducted under the constant supervision of a registered pharmacist [, but such credit shall not in any case exceed six months].

Registered as-
sistant phar-
macists.

In lieu of the above requirements of this section relative to the qualifications of applicants for examination and registration as pharmacists, any person who has been actively engaged for ten years or longer as a registered assistant pharmacist shall be qualified and entitled to take the examination for **pharmacist, and upon satisfactorily passing such examination and payment of the prescribed fees shall be duly registered as a pharmacist.

Section 13, said
act, as last
amended by act
of April 24,
1933, P. L. 59,
further amended.

Section 2. Section 13 of said act, as last amended by the act, approved the twenty-fourth day of April, one thousand nine hundred thirty-three (Pamphlet Laws 59), is hereby further amended to read as follows:

Retail sales of
drugs, etc.,
regulated.

Section 13. [That hereafter] *Hereafter* it shall be unlawful to sell drugs, medicines, or poisons at retail, or to compound physicians' prescriptions, or to conduct a pharmacy, unless the person so doing shall be a pharmacist or assistant pharmacist, or to practice as a pharmacist or assistant pharmacist, except in compliance with the provisions of the various laws of the Commonwealth relating thereto: Provided, however, That nothing in this act of Assembly shall be so construed as to interfere with students of pharmacy, or other employes in a pharmacy, from performing such duties as may be assigned to them by and under the supervision of a pharmacist or assistant pharmacist: And provided further, That the compounding of physicians' prescriptions, or the dispensing and selling of poisons at retail, shall not be permitted except under the strict supervision and in the presence of a pharmacist or assistant pharmacist.

Proviso.

Further proviso.

Construction of
act.

Nothing in this act of Assembly shall be construed [so as] to prevent [an] *a* [authorized practitioner of medicine] *duly licensed physician, dentist, veterinarian or other medical practitioner* from [administering or dispensing such drugs to bona fide patients as he or she shall deem necessary: Provided, however,] *practicing, dispensing, compounding or giving any medicine or poisons to his patients in the regular course of his practice: Provided, That such compounding, preparing and dispensing be done by such licensee himself: And providing further,* That such drugs so administered or dispensed shall conform to the standards of strength, quality, and purity as fixed by the laws of this Commonwealth; nor prevent the sale or manufacture of proprietary medicines; nor prevent storekeepers from dealing in and selling commonly used household drugs or proprietary medicines when the same are offered for

Proviso.

Proviso.

Further proviso.

Sale or manu-
facture of
proprietary
medicines.

** "phamacist" in original.

sale or sold in original packages, except when administered in single doses on the premises, which have been put up ready for sale to consumers by pharmacists, manufacturing pharmacists, manufacturers of proprietary medicines, wholesale grocers, or wholesale druggists, under qualified supervision: Provided, however, That the proprietary medicines or household drugs sold or offered for sale shall not contain any opium, coca leaves, chloral, or any of the salts derivatives or compounds thereof in any quantity whatsoever: Provided, also, That remedial agencies that are administered hypodermically, intramuscularly or intravenously, and all medicinal substances containing barbituric acid or its compounds, and biologicals (except those biologicals distributed to State and county health officers), and medicines containing substances of glandular origin (except intestinal enzymes and all liver products), shall be sold only by registered pharmacists or assistant pharmacists employed by or conducting a registered pharmacy. Any person violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00), or imprisonment for not more than one year, or either or both, in the discretion of the court.

Proviso.

Proviso.

Penalties for violation of this section.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

No. 518

AN ACT

To amend the title and to further amend sections two, four, five, seven and fifteen of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists, covering in Class I buildings not formerly covered, and authorizing the increase of ways of egress.

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

Safety in buildings.