

House Bill 107 (Prohibition on Vending Machine Sales of Drugs and Medicines –  
Repeal)

First Reader, Proposed Amendments

On page 2, in lines 11 and 22, strike the brackets

On page 2, after “(a)” insert ““NONPRESCRIPTION DRUG”” DEFINED – IN THIS SECTION “NONPRESCRIPTION DRUG” MEANS A DRUG WHICH MAY BE SOLD WITHOUT A PRESCRIPTION AND WHICH IS LABELED FOR CONSUMER USE IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAWS AND REGULATIONS OF THIS STATE AND THE FEDERAL GOVERNMENT.”

On page 2, in line 12, replace “(a)” with “(b)”

On page 2, in line 17, replace “(b)” with “(c)” and after “(c)”, insert “(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,”

On page 2, after line 19, insert “(2) A NONPRESCRIPTION DRUG MAY BE SOLD OR DISTRIBUTED BY MEANS OF A VENDING MACHINE OR OTHER SIMILAR DEVICE. (3) TO PROPERLY ENSURE THE QUALITY AND EFFECTIVENESS OF NONPRESCRIPTION DRUGS THAT MAY BE SOLD BY MEANS OF A VENDING MACHINE OR OTHER AUTOMATIC DEVICE THE SECRETARY SHALL ADOPT REGULATIONS TO: (I) PROTECT THE HEALTH, WELFARE, AND SAFETY OF THE PUBLIC; AND (II) PROVIDE FOR THE ENFORCEMENT OF THIS SECTION.”

On page 2, in line 20, replace “(c)” with “(d)” and after “commodity” insert “NOT SUBJECT TO SUBSECTION C (2)-(3)”

On pages 2-3, delete other changes in the remainder of the bill

Rationale

The proposed amendments adopt and modify terms used in Md. Code Ann., Health - General, § 21-1113(6) and Md. Code Ann., Health - General, § 18-335.