

CHAPTER 97.

[ H. B. 408. ]

NARCOTIC DRUGS.

AN ACT relating to narcotic drugs; amending section 69.33.290, chapter 27, Laws of 1959 and RCW 69.33.290.

*Be it enacted by the Legislature of the State of Washington:*

RCW 69.33.290 amended.

SECTION 1. Section 69.33.290, chapter 27, Laws of 1959 and RCW 69.33.290 are each amended to read as follows:

Narcotic drugs —Exempted sales and uses.

Except as otherwise in this chapter specifically provided, this chapter shall not apply to the following cases:

Administering, dispensing, or selling at retail any medicinal preparation, other than those hereinafter specified, that contains in one fluid ounce, or if a solid or semisolid preparation, in one avoirdupois ounce, not more than one grain of codeine or of any of its salts, or not more than one-sixth grain of dihydrocodeinone or of any of its salts, or not more than two grains of noscapine (formerly narcotine) or of any of its salts, or not more than two grains of papaverine or of any of its salts: *Provided*, That any new narcotic drug of natural or synthetic origin, that may be found by the United States commissioner of narcotics to be nonhabit forming in use, and which is so designated by them as an exempt narcotic, under federal law, may be classified as an exempt narcotic in the state of Washington, by ruling of the board of pharmacy.

The exemption authorized by this section shall be subject to the following conditions: (1) That the medicinal preparation administered, dispensed, or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone;

(2) That such preparation shall be administered, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this chapter;

(3) The board of pharmacy may, after a hearing, rule that this exemption shall not apply to a particular drug, or medicinal preparation, when the drug or medicinal preparation is injurious to the public health and welfare;

(4) That the drug or medicinal preparation be prescribed, administered, dispensed, or sold to any person in accordance with the rules and regulations relating to narcotics promulgated by the state board of pharmacy;

(5) The state board of pharmacy may, after a hearing, rule that this exemption shall not apply to any person who has prescribed, administered, dispensed, or sold any drug or medicinal preparation in such volume as to be injurious to the public health and welfare;

(6) The board of pharmacy may, after a hearing, promulgate rules and regulations which are necessary and proper to carry out the purposes of this chapter.

Nothing in this section shall be construed to limit the quantity of codeine or of any of its salts, or of dihydrocodeinone or of any of its salts, or of noscapine (formerly narcotine) or of any of its salts, or of papaverine or of any of its salts, that may be prescribed, administered, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, dispensed, or sold, in compliance with the general provisions of this chapter.

Passed the House February 23, 1959.

Passed the Senate March 4, 1959.

Approved by the Governor March 10, 1959.