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CHAPTER 545

AN ACT to amend 151.02 (7) (intro. par.) and 151.10 (1) (c); to repeal and recreate 151.02 (7) (b) and 151.07 (1) (intro. par.) and (a); and to create 151.02 (7) (c) of the statutes, relating to the classification of various statutes relating to pharmacists, and dangerous drugs.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 151.02 (7) (intro. par.) of the statutes is amended to read:

151.02 (7) (intro. par.) The board, upon notice and hearing, may suspend or revoke the registration of one guilty of felony or gross immorality, or who is addicted to alcoholic liquors or narcotic drugs, or addicted to the use of barbiturates to an extent affecting his fitness as a pharmacist, *or who is otherwise unfit to practice as a pharmacist, or whose registration was secured by fraud or mistake or the giving of misinformation in any of the applications submitted to the board of pharmacy*

or who has been guilty of a violation of this chapter *or ch. 161* or of violations of any of the rules or regulations of the board, or who has been guilty of acts of unprofessional conduct as herein defined. No such revocation shall become effective until 20 days after notice of the decision of the board has been served upon the person accused. Decisions of the board under this section shall be subject to review as provided in ch. 227 and in case the provisions thereof are invoked by the accused within such 20-day period, such order of revocation shall become effective only at such time as may be ordered by the court. Unprofessional conduct means:

SECTION 2. 151.02 (7) (b) of the statutes is repealed and recreated to read:

151.02 (7) (b) Compounding, dispensing or selling, or 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 and recorded on the prescription. Nothing herein contained shall be construed to prohibit the addition of such inert ingredients such as emulsifiers, wetting agents, solvents, or like items as may be required in the art of compounding, preparing, mixing or otherwise producing drugs unless otherwise directed by the prescriber.

SECTION 3. 151.02 (7) (c) of the statutes is created to read:

151.02 (7) (c) Violation of such standards as may from time to time be established or approved by the board.

SECTION 4. 151.07 (1) (intro. par.) and (a) of the statutes are repealed and recreated to read:

151.07 (1) (intro. par.) As used in this chapter unless the context requires otherwise:

(a) "Dangerous drug" means any drug or drug-containing preparation which bears the statement "Caution — federal law prohibits dispensing without prescription". No compound, mixture or preparation is deemed a dangerous drug if it is designed for the purpose of treating animals or poultry and is so labeled.

SECTION 5. 151.10 (1) (c) of the statutes is amended to read:

151.10 (1) (c) Before delivery he shall record in a book kept for that purpose the name of the article, the quantity, the purpose, the date, the name and address of the person for whom procured, and the name of the individual personally dispensing the same, *such record to be signed by the person to whom the poison is delivered*; and said book shall be preserved by the owner thereof for at least 3 years after the date of the last entry therein, and shall be open to inspection by authorized officers.

Approved October 15, 1959.