

**An Act to Further Amend the B.C.
"Pharmacy Act, 1891."**

The following is the full text of the amendments as certified correct and passed third reading on February 11th, 1895:

Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:

(1) This Act may be cited as the "Pharmacy Act Amendment Act, 1895."

(2) Section 10 of the "Pharmacy Act, 1891," is hereby repealed, and the following inserted in place thereof:

"10. The Board of Examiners shall examine the candidates and grant such certificates or diplomas as they may think proper to those whom they deem qualified to be licentiates of pharmacy, certified clerks, or certified apprentices. The said Board of Examiners shall consist of three members of the Association, who shall be appointed annually by the Lieutenant-Governor in Council. In case of any vacancy occurring in such Board, such vacancy shall be filled by the Lieutenant-Governor in Council."

(3) Section 11 of the said Act is hereby repealed, and the following substituted in place thereof:

"11. All persons approved of by the Board of Examiners who by examination have obtained diplomas from the Pharmaceutical Society of Great Britain, or certificates from any Pharmaceutical Association, or in the Dominion of Canada or elsewhere, whose standing and requirements are equal to those of the Pharmaceutical Association of British Columbia, may be registered as members of the Pharmaceutical Association of British Columbia without the examination prescribed by the said Act. Such diplomas or certificates must be accompanied by certificates of good moral character, and shall be subject to such other regulations as may be provided for in the by-laws of the Association: Provided, also, that such persons must have attended two courses of lectures in chemistry, two in materia medica and pharmacy, and one course in botany, in the British Columbia School of Mines, or such other school or college whose standing and requirements are equal to those of said British Columbia School of Mines. Such courses each to consist of not less than fifty lectures: Provided that the by-laws of the Association shall not require on the part of the applicant any previous residential qualifications."

(4) Section 12 of the said Act is hereby amended by adding thereto the following sub-sections:

"(a) It shall be unlawful for a certified apprentice to compound prescriptions or sell poisonous drugs or chemicals unless under the direct supervision of a licentiate of pharmacy or certified clerk:

"(b) Whenever any city or town in British Columbia is incorporated after the passing of this Act, all persons who have

been practising as chemists or druggists on their own account in any such city or town before its incorporation for the period of six months shall be entitled to be registered under this Act without examination, provided application is made therefor within the period of six months after such incorporation."

(5) Section 16 of the said Act is hereby repealed, and the following substituted in lieu thereof:

"16. No person shall, within the limits of any incorporated city or town in this province, keep open shop for the retailing, dispensing, or compounding poisons, or sell, or attempt to sell, any of the articles mentioned in Schedule 'A' or Schedule 'B' to this Act, unless such person is registered as a licentiate of pharmacy under this Act, under the penalty set forth in section 20 in this Act. A certified clerk may, under the provisions of this Act, compound prescriptions or sell poisonous drugs or chemicals while acting in that capacity."

(6) Section 17 of said Act is hereby repealed, and the following substituted in lieu thereof:

"17. Articles named or described in Schedule 'A' or Schedule 'B' shall be deemed to be poisonous within the meaning of this Act; and the said Council hereinbefore mentioned may from time to time by resolution declare that any article in such resolution named ought to be deemed a poison within the meaning of this Act, and thereupon the said Council shall submit the same for the approval of the Lieutenant-Governor in Council; and if such approval is given, then such resolution and approval shall be advertised in the *British Columbia Gazette*, and on the expiration of one month from such advertisement the article named in such resolution shall be deemed to be a poison within the meaning of this Act, and the same shall be subject to the provisions of this Act, or such of them as may be directed by the Lieutenant-Governor in Council."

(7) Section 18 of said Act is hereby repealed, and the following substituted in lieu thereof:

"18. No person shall sell any poison named in Schedule 'A' either by wholesale or retail unless the box, bottle, vessel, wrapper, or cover in which such poison is contained is distinctly labelled with the name of the article and the word 'poison,' and, if sold by retail, then also with the name and address of the proprietor of the establishment in which such poison is sold; and no person shall sell any poison mentioned in Schedule 'A' to any person unknown to the seller unless introduced by some person known to the seller, and on every sale of any such article the person actually selling the same shall, before delivery, make an entry in a book to be kept for that purpose in the form set forth in Schedule 'C' to this Act, stating the date of the sale, the name and address of the purchaser, the name and quantity of the article sold, the purpose for which it is stated by the purchaser to be required, and the name of the

person, if any, who introduced him, to which entry the signature of the purchaser shall be affixed, under the penalty set forth in section 20 of this Act: Provided the person actually selling the poison shall be liable to the penalty mentioned in this Act."

(8) Section 19 of said Act is hereby repealed, and the following substituted in lieu thereof:

"19. Any article enumerated in Schedule 'B' to this Act shall not be sold unless the container of such be distinctly labelled with the name of the article, name and address of the seller, and the word 'poison' affixed thereto, under the penalty set forth in section 20 of this Act."

(9) Section 27 of said Act is hereby repealed, and the following substituted in lieu thereof:

"27. It shall be lawful for the Lieutenant-Governor in Council to appoint a fit and proper person to be known as 'Public Analyst,' who must be a member of the Pharmaceutical Association, and who may be allowed to charge such fees in respect of analyses to be made by him as the Lieutenant-Governor in Council may approve. And in any prosecution under the said Act a certificate of such Public Analyst as to the identity of any drug, chemical, or compound shall be deemed good and sufficient evidence of the same."

(10) Section 28 of said Act, and section 1 of the "Pharmacy Act Amendment Act, 1892," are hereby repealed, and the following substituted therefor:

"28. Nothing in this Act contained shall prevent any duly qualified member of the medical profession or surgeon from engaging in or carrying on the business of an apothecary, chemist, or druggist, provided that when any such duly qualified member of the medical profession or surgeon desires to carry on the business of a chemist or druggist, as defined by the said Act, he shall not be required to pass the examination, but shall register as a chemist or druggist and otherwise comply with all the requirements of the said Act. And it shall also be incumbent upon any medical practitioner or surgeon now carrying on the business of a chemist or druggist within the incorporated cities and towns of the province to register annually and otherwise conform to all the requirements of the said Act."

(11) The said Act is further amended by adding thereto the following section:

"29. In any conviction under this Act the penalty may be enforced by distress and sale of the goods of the offender, and in case of there being no sufficient distress found out of which the same can be levied, such offender shall be liable to be imprisoned for any period not exceeding one month. Every such penalty when collected shall be paid to the Treasurer of the Pharmaceutical Association of British Columbia for the general purposes of the said Association."

(12) Section 7 of the "Pharmacy Act, 1891," is hereby amended by striking out sub-section (f).