

58-37-7 Labeling and packaging controlled substance.

- (1) A person licensed pursuant to this act may not distribute a controlled substance unless it is packaged and labeled in compliance with the requirements of Section 305 of the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970.
- (2) No person except a pharmacist for the purpose of filling a prescription shall alter, deface, or remove any label affixed by the manufacturer.
- (3) Whenever a pharmacist sells or dispenses any controlled substance on a prescription issued by a practitioner, he shall affix to the container in which the substance is sold or dispensed:
 - (a) a label showing the:
 - (i) pharmacy name and address;
 - (ii) serial number; and
 - (iii) date of initial filling;
 - (b) the prescription number, the name of the patient, or if the patient is an animal, the name of the owner of the animal and the species of the animal;
 - (c) the name of the practitioner by whom the prescription was written;
 - (d) any directions stated on the prescription; and
 - (e) any directions required by rules and regulations promulgated by the department.
- (4) A person may not alter the face or remove any label so long as any of the original contents remain.
- (5)
 - (a) An individual to whom or for whose use any controlled substance has been prescribed, sold, or dispensed by a practitioner and the owner of any animal for which any controlled substance has been prescribed, sold, or dispensed by a veterinarian may lawfully possess it only in the container in which it was delivered to him by the person selling or dispensing it.
 - (b) It is a defense to a prosecution under this subsection that the person being prosecuted produces in court a valid prescription for the controlled substance or the original container with the label attached.

Amended by Chapter 241, 2004 General Session