

"Serviceman."

1947, (ii) on or after April 6, 1917, and prior to November 11, 1918, or (iii) on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President, and who shall have been discharged or released therefrom under conditions other than dishonorable. The term 'serviceman' shall mean a person in the active military or naval service of the United States who has served therein at any time (i) on or after September 16, 1940, and prior to July 26, 1947, (ii) on or after April 6, 1917, and prior to November 11, 1918, or (iii) on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President."

62 Stat. 1063; 64
Stat. 63.
42 U. S. C. §§ 1575,
1582.
42 U. S. C. § 1581.

SEC. 2. The Act of October 14, 1940, as amended (54 Stat. 1125, as amended; 42 U. S. C. 1521), is hereby amended (i) by striking out in paragraph (c) of section 505 and in paragraph (c) of section 602 the phrase "of World War II" wherever such phrase occurs; and (ii) by striking out in paragraph (b) of section 601 the phrase "during World War II", and substituting therefor the words "at any time on or after September 16, 1940, and prior to July 26, 1947, or on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President".

SEC. 3. Public Law 65, Eighty-first Congress (63 Stat. 68), is hereby amended by adding, after the phrase "July 26, 1947," in section 2 thereof, the phrase "or on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President,".

64 Stat. 54.
12 U. S. C. § 1715e
(b).

SEC. 4. The National Housing Act, as amended, is amended by striking out the phrase "of World War II" wherever it occurs in paragraph (b) of section 213, and by adding the following proviso before the period at the end of said paragraph: ": *Provided*, That for purposes of this section the word 'veteran' shall mean a person who has served in the active military or naval service of the United States at any time on or after September 16, 1940, and prior to July 26, 1947, or on or after June 27, 1950, and prior to such date thereafter as shall be determined by the President".

Approved October 26, 1951.

Public Law 215

CHAPTER 578

AN ACT

October 26, 1951
[H. R. 3298]

To amend sections 303 (c) and 503 (b) of the Federal Food, Drug, and Cosmetic Act, as amended.

Federal Food, Drug,
and Cosmetic Act,
amendments.
52 Stat. 1051.
21 U. S. C. § 353.
Conditions for dis-
pensation of certain
drugs.
21 U. S. C. § 352.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 503 of the Federal Food, Drug, and Cosmetic Act, as amended, is amended to read as follows:

"(b) (1) A drug intended for use by man which—

"(A) is a habit-forming drug to which section 502 (d) applies;

or

"(B) because of its toxicity or other potentiality for harmful effect, or the method of its use, or the collateral measures necessary to its use, is not safe for use except under the supervision of a practitioner licensed by law to administer such drug; or

"(C) is limited by an effective application under section 505 to use under the professional supervision of a practitioner licensed by law to administer such drug,

21 U. S. C. § 355.

shall be dispensed only (i) upon a written prescription of a practitioner licensed by law to administer such drug, or (ii) upon an oral prescription of such practitioner which is reduced promptly to writing and filed by the pharmacist, or (iii) by refilling any such written or oral prescription if such refilling is authorized by the prescriber either in the original prescription or by oral order which is reduced promptly to writing and filed by the pharmacist. The act of dispensing a drug contrary to the provisions of this paragraph shall be deemed to be an act which results in the drug being misbranded while held for sale.

“(2) Any drug dispensed by filling or refilling a written or oral prescription of a practitioner licensed by law to administer such drug shall be exempt from the requirements of section 502, except paragraphs (a), (i) (2) and (3), (k), and (l), and the packaging requirements of paragraphs (g) and (h), if the drug bears a label containing the name and address of the dispenser, the serial number and date of the prescription or of its filling, the name of the prescriber, and, if stated in the prescription, the name of the patient, and the directions for use and cautionary statements, if any, contained in such prescription. This exemption shall not apply to any drug dispensed in the course of the conduct of a business of dispensing drugs pursuant to diagnosis by mail, or to a drug dispensed in violation of paragraph (1) of this subsection.

Exemption from certain labeling requirements.
21 U. S. C. § 352.

“(3) The Administrator may by regulation remove drugs subject to section 502 (d) and section 505 from the requirements of paragraph (1) of this subsection when such requirements are not necessary for the protection of the public health.

Exemption from prescription requirements.
21 U. S. C. §§ 352, 355.

“(4) A drug which is subject to paragraph (1) of this subsection shall be deemed to be misbranded if at any time prior to dispensing its label fails to bear the statement ‘Caution: Federal law prohibits dispensing without prescription’. A drug to which paragraph (1) of this subsection does not apply shall be deemed to be misbranded if at any time prior to dispensing its label bears the caution statement quoted in the preceding sentence.

Drugs deemed to be misbranded.

“(5) Nothing in this subsection shall be construed to relieve any person from any requirement prescribed by or under authority of law with respect to drugs now included or which may hereafter be included within the classifications stated in section 3220 of the Internal Revenue Code (26 U. S. C. 3220), or to marihuana as defined in section 3238 (b) of the Internal Revenue Code (26 U. S. C. 3238 (b)).”

Compliance with narcotics or marihuana laws.

53 Stat. 382.
53 Stat. 387.

SEC. 2. Subsection (c) of section 303 of the Federal Food, Drug, and Cosmetic Act, as amended, is amended by striking out the period at the end of clause (3) and inserting in lieu thereof a semicolon and the following: “or (4) for having violated section 301 (b), (c) or (k) by failure to comply with section 502 (f) in respect to an article received in interstate commerce to which neither section 503 (a) nor section 503 (b) (1) is applicable, if the delivery or proffered delivery was made in good faith and the labeling at the time thereof contained the same directions for use and warning statements as were contained in the labeling at the time of such receipt of such article.”

21 U. S. C. § 333.

SEC. 3. The provisions of this Act shall take effect six months after the date of its enactment.

Effective date.

Approved October 26, 1951.