

## **AN ACT PROVIDING THAT THE BOARD OF PHARMACEUTICAL EXAMINERS SHALL AT THE SAME TIME BE A PHARMACY INSPECTION BOARD, INCREASING ITS DUTIES, POWERS, AND ATTRIBUTES, AND APPROPRIATI...**

*Act No. 2762, February 28, 1918*

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. The Board of Pharmaceutical Examiners established in chapter thirty of the Administrative Code of Nineteen hundred and seventeen shall at the same time act as a Pharmacy Inspection Board, under the supervision and control of the Secretary of the Interior. All powers, duties, and functions not inconsistent with this Act prescribed by existing laws with regard to the inspection and regulation of pharmacies, drug stores, dispensaries, and other establishments of a similar nature, the dispensing and sale of drugs, medicines, poisons, and, in general, all functions and duties not merely the examination and registration of pharmacists, shall be exercised and performed by said Board.

SEC. 2. The Board shall, moreover, have the following duties, powers, and attributes:

(a) To authorize, after inspection, the opening of pharmacies, drug stores, and dispensaries by persons authorized therefor by law.

(b) To inspect, at least once each year, the pharmacies, dispensaries, drug stores, and similar establishments established in the Philippine Islands and the pharmacies and dispensaries belonging to hospitals, asylums, prisons, sanatoria, and similar establishments.

(c) To collect samples of drugs, medicines, specifics, remedies, and similar products displayed for sale or imported through the customhouses of the Philippine Islands for medicinal purposes, for the purpose of forwarding the same, in accordance with the provisions of this Act and the regulations issued thereunder and of the Pure Food and Drugs Act, to the Bureau of Science for analysis and examination; and to exclude from sale those not conforming to the standards of quality, concentration, and purity established by the Pharmacopoeia of the United States, last edition, or by recognized formularies, provided the person concerned certify in writing to the authenticity of the formula taken from a foreign formulary.

(d) To issue regulations for the exercise of the pharmaceutical profession and for the enforcement of this Act, subject to the approval of the Secretary of the Interior.

(e) To classify and regulate the sale of poisonous, abortive, corrosive, and anti-conceptional substances, in accordance with section fifteen hundred and seventy-five of the Administrative Code.

(f) To classify and regulate the sale of drugs and household remedies of common use by persons of good character and morals, upon examination satisfactory to the Board. Such licenses shall be good for one year only for pueblos or barrios in which no pharmacy exists and which are situate not less than ten kilometers away from any

pharmacy.

(g) To investigate such violations of the present Act and the regulations issued thereunder as may come to their knowledge, and for this purpose to issue subpoenas and subpcenas duces tecum to have witnesses appear and testify before them under oath, (and the appearance or testimony of an absent or contumacious witness may be enforced by application to the justice of the peace court or the Court of First Instance), and to report the result of their investigation to the fiscal of the province, for the prosecution of those found to be guilty.

(h) To report, if called upon, on any conflict that may arise between pharmacists or druggists and the Bureau of Internal Revenue or any other office or bureau of the Insular Government.

(i) To revoke or temporarily suspend the license of any druggist, pharmacist, practicante de farmada, or other person authorized to sell drugs, medicines, and household remedies, for any of the following causes: moral turpitude, mental incapacity, and unprofessional conduct.

SEC. 3. Upon the approval of this Act, the present Board of Pharmaceutical Examiners shall cease to perform its functions and the Secretary of the Interior shall proceed to appoint the new members of the Board of Pharmaceutical Examiners and Inspectors, in the same manner as prescribed by existing law. In the appointments, the Secretary of the Interior shall designate the chairman and the secretary-treasurer of the Board. Each member of the Board shall hold office for a term of three years from and after the date of his appointment, but the Secretary of the Interior may reappoint any member whose term has expired for three years more, and so on, successively, in the discretion of said Secretary of the Interior.

SEC. 4. The chairman and the secretary-treasurer shall be the executive officers of the Board and shall see to the strict enforcement of the laws in force and of the regulations, instructions, and orders issued by said Board. In the performance of these duties and powers, the chairman of the Board shall be the chief of the office and the secretary-treasurer his assistant, who shall take his place in case of illness, absence, or other impediment. The third member shall act as member and shall have a voice and vote in the deliberations of the Board.

SEC. 5. The chairman of the Board shall receive an annual salary of not to exceed four thousand pesos and the secretary-treasurer an annual salary of not to exceed three thousand pesos. The third member shall be entitled to a per diem of ten pesos for each meeting of the Board actually attended by him, but shall not receive in aggregate more than forty pesos per month. No member of the Board shall receive additional compensation in the performance of his duties as examiner of candidates for pharmacist. Neither the chairman nor the secretary-treasurer shall be owners, managers, or employees of pharmacies, dispensaries, drug stores, or similar establishments, nor be directly or indirectly interested in such establishments.

SEC. 6. For the purposes of this Act, the district health officers shall be ex officio agents of the Board of Pharmaceutical Examiners and Inspectors and as such it shall be their duty to see to the enforcement of the provisions of this Act and of any orders and regulations for carrying out the provisions of the same.

SEC. 7. There is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, the sum of twelve thousand pesos or so much thereof as may be necessary to carry out the purposes of this Act.

SEC. 8. All Acts or parts of Act inconsistent with the provisions of this Act are hereby repealed.

SEC. 9. This Act shall take effect on its approval.

Approved, February 28, 1918.

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