UNIFORM NARCOTIC DRUG LAW AND REGULATIONS

Revised Statutes 24:18-1 to 24:18-49, inclusive

Revised Statutes 26:2-81 to 26:2-82, inclusive

PHARMACY LAW EXCERPT

ALSO

N.J.S.A. 45:14-12.2

New Jersey, (State) Department of Health

Chapter 18. UNIFORM NARCOTIC DRUG LAW

ARTICLE 1. DEFINITION AND CONSTRUCTION

24:18-1. Short title. This chapter may be cited as the "uniform narcotic drug law."

24:18-2. Definitions. The following words, and phrases as used in this chapter shall have the following meanings unless the context otherwise requires:

a. "Narcotic drugs" means any of the following (except decocainized coca leaves or extracts of coca leaves, which extracts do not contain cocaine or ecgonine), whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(i) Opium, pethidine (isonipecaine), or coca leaves;

(ii) Any compound, manufacture, salt, derivative, or preparation of opium, pethidine (sonipecaine) or coca leaves;

(iii) "Marihuana" which means all parts of the plant cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture or preparation of such plant, its seeds, or resin; but shall not include the mature stalks of such plant, fibre produced from such stalks, oil or cake made from the seeds, of such plant, any other compounds, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fibre, oil, or cake or the sterilized seed of such plant which is incapable of germination.

(iv) Any substance (and any compound, manufacture, salt, derivative, or preparation thereof) which is chemically identical with any of the substances referred to in clauses (i), (ii), or (iii);

(v) Any "opiate" found to be a narcotic drug by order or by rule or regulation of the Commissioner of Health. "Opiate" means any drug or other substance (and any compound, manufacture, salt, derivative or preparation thereof) which has been or may be found by the Secretary of Treasury of the United States or his delegate, or the Commissioner of Health, after due notice and opportunity for public hearing, to have an addiction-forming or addiction-sustaining liability, similar to morphine or cocaine or to be capable of conversion into a drug having such addiction-forming or addiction-sustaining liability, where the relative technical simplicity and degree of yield of such conversion create a risk of improper use and proclaimed by the Secretary of the Treasury of the United States or his delegate to have been so found in the Federal Register or as promulgated by regulation by the Commissioner of Health; but a drug or other substance shall cease to be an "opiate" for the

purposes of this section if such finding or regulation is duly withdrawn by the Secretary of the Treasury of the United States or his delegate or the Commissioner of Health respectively.

b. "Practitioner" means any physician authorized by law to practice medicine in this or any other state and any other person authorized by law to treat sick and injured human beings in this or any other state and to use narcotic drugs in connection with such treatment, any dentist authorized by law to practice dentistry in this State and any veterinarian authorized by law to practice veterinary medicine in this State.

c. "Dispense" means to distribute, leave with, give away, dispose of, or deliver a drug in a container with labeling for subsequent administration to or use by a patient.

d. "Federal Narcotic Law" means the laws of the United States relating to narcotic drugs.

e. "Hospital" means an institution for the care and treatment of the sick and injured, approved by the State Department of Institutions and Agencies as proper to be intrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a practitioner.

f. "Laboratory" means a laboratory to be entrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific, experimental and medical purposes and for purposes of instruction approved by the State Department of Health.

g. "Manufacturer" means a person who produces or prepares a narcotic drug or any other preparation containing a narcotic drug, either directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, or by compounding, mixing, cultivating, growing, or any other process but does not include a pharmacist who compounds narcotic drugs to be sold or dispensed on prescription.

h. "Official written order" means an order written on a form provided for that purpose by the Secretary of the Treasury of the United States or his delegate, under any laws of the United States making provision therefore, if such order forms are authorized and required by the Federal law, and if no such order form is provided, then on an official form provided for that purpose by the State Department of Health.

i. "Person" includes any corporation, association, co-partnership, trust other institution or entity or one or more individuals.

j. "Pharmacist" means a registered pharmacist of this State.

k. "Pharmacy owner" means the owner of a store or other place of business where narcotic drugs are compounded or dispensed by

a registered pharmacist, but nothing in this chapter contained shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this State.

1. Deleted by amendment. *Source: Chapter 313-P.L. 1966 effective, Dec. 29, 1966.*

m. "Registry number" means the number assigned to each person registered under the Federal Narcotic Laws.

n. "Sale" includes barter, exchange, or gift, or offer thereof, and each such transaction made by any person, whether as principal, proprietor, agent, servant or employee.

o. Deleted by amendment. *Source: Chapter 313-P.L. 1966 effective, Dec. 29, 1966.*

p. "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced or prepared, on official written order, but not on prescription.

24:18-3. Interpretation of chapter. This Chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the laws of those states which enact it.

24:18-3.1. and 3.2 are repealed. *Source: Chapter 313-P.L. 1966 effective, Dec. 29, 1966.*

ARTICLE 2. GENERAL PROVISIONS.

24:18-4. Unlawful manufacture, possession, sale, etc. It shall be unlawful for any person to manufacture, possess, have under his control, sell, purchase, prescribe, administer, dispense, or compound any narcotic drug, or any preparation containing a narcotic drug, except as authorized by this chapter.

24:18-5. Lawful possession of narcotic drugs. Possession or control of narcotic drugs obtained as authorized in this chapter shall be lawful if obtained in the regular course of business, occupation, profession, employment or duty of the possessor.

24:18-6. Persons excepted from provisions restricting possession. The provisions of this chapter restricting the possession and having control of narcotic drugs shall not apply to common carriers or to warehousemen while engaged in lawfully transporting or storing such drugs, or to any employee of the same acting within the scope of his employment; or to public officers or employees in the performance of their official duties requiring possession or control of narcotic drugs; or to temporary incidental possession by employees or agents of persons lawfully entitled to possession, or by persons whose possession is for the purpose of aiding public officers in performing their official duties.

24:18-7. Exemption from provisions of chapter. Narcotic preparations which may be excepted from prescription or certain other requirements.

a. Notwithstanding any other provision of this chapter the administering, dispensing or selling at retail of any medicinal preparation specified below without a prescription shall not be unlawful when administered, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this chapter:

(1) Class "X" narcotic drugs:

(i) Opium preparations: containing not more than 2 grains of opium per fluid or avoirdupois ounce, along with one or more therapeautically active non-narcotic ingredients.

(ii) Morphine preparations: containing not more than ¼ grain morphine or any of its salts, per fluid or avoirdupois ounce, along with one or more therapeutically active non-narcotic ingredients.

(iii) Codeine preparations: containing not more than 1 grain codeine, or any of its salts, per fluid or avoirdupois ounce, along with one or more therapeutically active non-narcotic ingredients.

(iv) Dihydrocodeine preparations: containing not more than ½ grain dihydrocodeine, or any of its salts, per fluid or avoirdupois ounce, along with one or more therapeutically active non-narcotic ingredients.

(v) Ethylmorphine preparations: containing not more than ¼ grain ethylmorphine, or any of its salts, per fluid or avoirdupois ounce, along with one or more therapeutically active non-narcotic ingredients.

(vi) Diphenoxylate preparations: pharmaceutical preparations in solid or liquid form containing not more than 2.5 mgs. diphenoxylate and not less than 25 micrograms of atrophine sulfate per dosage unit.

(2) Class "M" narcotic drugs:

(i) Noscapine preparations: any pharmaceutical preparation containing noscapine, or any of its salts, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.

(ii) Papaverine preperations: any pharmaceutical preparation containing papaverine, or any of its salts, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.

(iii) Narceine preparations: any pharmaceutical preparation

containing narceine, or any of its salts, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.

(iv) Cotarnine preparations: any pharmaceutical preparation containing cotarnine, or any of its salts, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.

(v) Nalorphine preparations: any pharmaceutical preparation containing nalorphine, or any of its salts, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.

b. The Commissioner of Health shall by regulation except from the provisions of this chapter to such extent as he determines to be consistent with the public welfare other narcotic preparations which are or may be determined to be excepted from Federal prescription requirements and permit the administering, dispensing, or selling of such preparations under the same conditions and by the same persons as are permitted by the Federal Narcotic Law and the laws of this State and which are determined:

(1) Either to possess no addiction-forming or addiction-sustaining liability or does not possess any addiction-forming or addiction-sustaining liability, sufficient to warrant imposition of all of the requirements of this chapter, and

(2) Does not permit recovery of a narcotic drug having such an addiction-forming or addiction-sustaining liability, which such relative technical simplicity and degree of yield as to create a risk of improper use.

c. If the Commissioner of Health shall find that any narcotic preparation which has been excepted from prescription requirements does possess a degree of addiction liability that results in material abusive use, he shall by regulation publish findings and terminate the excepted status of such preparation. In so doing he shall be guided by the status of such preparation under then current Federal law and regulation and depart therefrom only when eminent danger to the public health is involved. Such regulation shall be effective and the excepted status shall cease to apply to such narcotic preparation 90 days after the date of promulgation. Any person who denies the validity of the Commissioner's findings and is aggrieved by such regulation shall have the right to apply for a review of the finding and regulation to the Superior Court which shall have jurisdiction. Effectiveness of such regulation shall be stayed pending decision of the Superior Court.

d. The exception from prescription provisions of this section shall not apply to those pharmaceutical preparations for which a prescription is required under applicable provisions of the Federal Food, Drug and Cosmetic Act, or subtitle 1 of this Title.

e. The exception from prescription requirements in subsection a. (1) above with respect to Class "X" narcotic drugs shall not apply to the sale, dispensing, administering or giving away of any Class "X" narcotic drug or preparation thereof to any person under the age of 21 years.

f. The purchase by any individual of more than 4 ounces of any Class "X" narcotic drug in any one 24-hour period shall constitute a rebuttable presumption that it was not purchased in good faith as a medicine.

Regulation concerning DIHYDROCODEINONE ..... see page 21
Regulation concerning PAREGORIC ..... see page 22

24:18-8. of the Revised Statutes is repealed. *Source: Chapter 313-P.L. 1966 effective, Dec. 29, 1966.*

24:18-9. Use by hospitals, laboratories, public employees and masters of ships or aircraft. A person in charge of a hospital or of a laboratory, or in the employ of this State or of any other state, or of any political subdivision thereof, and the master or other proper officer of a ship or aircraft, who obtains narcotic drugs under the provisions of this chapter or otherwise shall not administer, nor dispense nor otherwise use such drugs within this State except within the scope of his employment or official duty and then only for scientific or medicinal purposes and subject to the provisions of this chapter.

24:18-10. Enforcement of narcotic laws. It is hereby made the duty of the State Department of Health, its officers, agents, inspectors and representatives, and all peace officers within the State, and of all county prosecutors, to enforce all provisions of this chapter, except those specifically delegated, and to co-operate with all agencies charged with the enforcement of the laws of the United States, of this State, and of all other states, relating to narcotic drugs; and it shall be the duty of the Board of Pharmacy in the Division of Professional Boards in the Department of Law and Public Safety, its officers, agents, inspectors and representatives also to assist the State Department of Health, peace officers and county prosecutors in the enforcement of all provisions of this chapter relating to the handling of narcotic drugs by pharmacy owners and pharmacists.

Authority is hereby granted to the Commissioner of Health to promulgate all necessary rules and regulations for the efficient enforcement of this chapter. The said Commissioner is also hereby authorized to promulgate, insofar as applicable regulations from time to time promulgated by the Secretary of the Treasury of the United States or his delegate under the Federal Narcotic Law. Authority is also hereby granted to the Commissioner of Health to issue and promulgate an order relative to any "opiate" under Section 2 a (v) of this chapter when the delay occasioned by acting

through promulgation of a regulation would constitute a danger to the public health.

An order of the Commissioner shall take effect immediately, but it shall expire 45 days after promulgation thereof. Rules and regulations may be adopted and promulgated by the Commissioner but they shall not take effect until he has given due notice of his intention to take such action and has held a public hearing. Such rules and regulations may include the contents of an order previously issued by the Commissioner.

Any person who denies that a drug or pharmaceutical preparation is properly subject to an order by the Commissioner which applies the provision of this chapter to such drug or pharmaceutical preparations, may apply to the Commissioner for a hearing which must be afforded. In such case a decision must be rendered by the Commissioner or his designee within 48 hours of the request for a hearing. If the petitioning party is aggrieved by the decision, he shall have the right to apply for injunctive relief against the order. Jurisdiction for such injunctive relief shall be in the Superior Court of New Jersey.

24:18-11. Right of inspection; divulging source of information. Prescriptions, orders and records, required by this chapter, and stocks of narcotic drugs, shall be open for inspection only to Federal, State, county and municipal officers, whose duty it is to enforce the laws of this State or of the United States relating to narcotic drugs.

No officer having knowledge by virtue of his office of any such prescription, order or record shall divulge such knowledge, except in connection with a prosecution or proceeding in court or before a licensing board or officer to which prosecution or proceeding the person to whom such prescriptions, orders, or records relate is a party.

ARTICLE 3. MANUFACTURERS AND WHOLESALERS.

24:18-12. Licenses for manufacturers and wholesalers; fee; exceptions. No person shall manufacture, compound, mix, cultivate, grow or by any other process produce or prepare narcotic drugs, and no person as a wholesaler shall supply the same without having first obtained a license so to do from the State Department of Health. A fee of $50.00 shall be charged for any license so issued. The State Department of Health may make rules and regulations governing the issuance of any such license.

This section shall not apply to pharmacists and practitioners in the regular course of their legitimate professional activities.

24:18-13. Proof required of applicant for license. No such license shall be issued unless and until the applicant therefor has furnished proof satisfactory to the State Department of Health:

a. That the applicant is of good moral character, and if the applicant be an association or corporation that the managing officers are of good moral character;

b. That the applicant is equipped as to land, buildings and paraphernalia properly to carry on the business described in his application, and that his trade connections are such that there is reasonable probability that he will apply all narcotic drugs manufactured or sold by him to medicinal and scientific purposes; and

c. That the applicant is in sufficiently good financial condition to carry out his obligations and that it is satisfactorily shown that the granting of such license is in the public interest.

Regulation concerning SECURITY OF NARCOTIC DRUGS ..... See page 24

24:18-14. License denied to violators and drug addicts. No such license shall be granted to any person who has within 5 years been convicted of the willful violation of any law of the United States or of any state, relating to narcotic drugs, or to any person who is a narcotic drug addict.

24:18-15. Revocation of license; terms and renewals. The State Department of Health may for cause suspend or revoke any such license after due notice and opportunity for hearing if the licensee:

a. Has been convicted of violating or conspiring to violate any law of the United States or of any state where the offense involves any activity or transaction with respect to narcotic drugs; or

b. Has violated or failed to comply with any duly promulgated regulation of the Commissioner of Health and such violation or failure to comply reflects adversely on the licensee's reliability and integrity with respect to narcotic drugs.

All licenses shall be issued for a period of 1 year and renewals may be granted for a like period upon the payment of a renewal fee of $5.00.

24:18-16. To whom manufacturers or wholesalers may sell and dispense on official written order. a. A duly licensed manufacturer or wholesaler may sell and dispense narcotic drugs to any of the following persons, but only on official written orders:

(1) To a manufacturer, wholesaler, pharmacist or pharmacy owner.

(2) To a practitioner.

(3) To a person in charge of a hospital, but only for use by or in that hospital, provided the official written order is signed by a practitioner or pharmacist connected with such hospital.

(4) To a person in charge of a laboratory, but only for use in that laboratory for scientific and medicinal purposes.

(5) To a person in the employ of the United States Government or of any state, territory, district, county, municipality, or insular government, purchasing, receiving, possessing or dispensing narcotic drugs by reason of his official duties.

(6) To a master of a ship or a person in charge of any aircraft upon which no physician is regularly employed or to a physician or surgeon, duly licensed in some state, territory or District of Columbia to practice his profession, or to a retired commissioned medical officer of the United States Army, Navy or Public Health Service employed upon such ship or aircraft, for the actual medical needs of persons on board such ship or aircraft when not in port, provided such narcotic drug shall be sold to the master of such ship or person in charge of such aircraft or to a physician, surgeon, or retired commissioned medical officer of the United States Army, Navy or Public Health Service employed upon such ship or aircraft only in pursuance of a special order form approved by a commissioned medical officer or acting assistant surgeon of the United States Public Health Service.

(7) To a person in a foreign country if the provisions of the Federal Narcotic Law are complied with.

b. Possession of or control of narcotic drugs obtained as authorized by this section shall be lawful if in the regular course of business, occupation, profession, employment, or duty of the possessor; but nothing in this chapter shall be construed as conferring on a person who is not registered nor licensed as a practitioner or as a pharmacist any authority, right or privilege that is not granted to him by the laws of this State.

24:18-17. of the Revised Statutes is repealed. *Source: Chapter 313-P.L. 1966 effective, Dec. 29, 1966.*

24:18-18. Official written orders in triplicate; retention for two years. An official written order for any narcotic drug shall be signed in triplicate by the person giving said order or by his duly authorized agent. The original and triplicate shall be presented to the person who sells or dispenses the narcotic drug or drugs named therein.

In the event of the acceptance of such order by said person, each party to the transaction shall preserve his copy of such order for a period of 2 years, in such a way as to be readily accessible for inspection by any public officer or employee engaged in the enforcement of this chapter. It shall be deemed a compliance with this section if the parties to the transaction have complied with the

ederal Narcotic Law respecting the requirements governing the ıe of order forms.

ARTICLE 4. PHARMACISTS.

24:18-19. Sale by pharmacist upon prescription; date and signatures; retention for 2 years; refilling. A pharmacist in good faith, ay sell and dispense narcotic drugs to any person:

a. Upon the written prescription of a practitioner.

Such written prescription shall be dated and signed by the person prescribing on the day when issued and shall bear the full name nd address of the patient for whom or of the owner of the animal nd species of the animal for which the narcotic drug is prescribed nd the full name, address and registry number under the Federal Narcotic Law of the person prescribing, provided he is required y those laws to be so registered.

A person filling the prescription shall write the date of filling nd his own signature on the face of the prescription.

The prescription shall be retained on file by the pharmacy owner f the pharmacy in which it is filled for a period of 2 years so as o be readily accessible for the inspection of any officers engaged n the enforcement of this chapter. The prescription shall not be efilled.

b. Upon the oral prescription of a practitioner in pursuance of regulations promulgated by the Secretary of the Treasury of the United States, or his delegate, or regulations issued by the Commissioner of Health not in conflict with those promulgated under the provisions of Federal Narcotic Law, provided said oral prescription is promptly reduced to writing by the pharmacist, stating the name of the practitioner so prescribing, the date, the full name and address of the patient for whom, or of the owner of the animal for which, the drug is dispensed, and in all instances, the full name, address and registry number under the Federal Narcotic Law of the person so prescribing if he is required by that law to be so registered. If the prescription be for an animal, it shall state the species of animal for which the drug is prescribed. A person filling the prescription shall write the date of filling and his own signature on the face of the prescription. The prescription shall be retained on file by the proprietor of the pharmacy in which it is filled for a period of 2 years so as to be readily accessible for the inspection of any officers engaged in the enforcement of this act. The prescription shall not be refilled.

24:18-20. Disposition of drugs by pharmacy owner upon discontinuing business. The legal owner of any stock of narcotic drugs in a pharmacy, upon discontinuance of dealing in such drugs, may sell such stock to a manufacturer, wholesaler, pharmacist or pharmacy owner, but only upon an official written order.

24:18-21. Sale by pharmacists to practitioners. A pharmacist, only upon an official written order, may sell to a practitioner, in quantities not exceeding 1 ounce at any one time, aqueous or oleaginous solutions compounded by him of which the content of narcotic drugs does not exceed a proportion greater than 20% of the complete solution, to be used for medical purposes.

ARTICLE 5. PROFESSIONAL USE OF NARCOTIC DRUGS

24:18-22. Professional use by practitioners. A practitioner other than a veterinarian, in good faith and in the course of his professional practice only, may prescribe, administer or dispense narcotic drugs or may cause the same to be administered by a nurse or intern under his direction and supervision.

24:18-23. Professional use by veterinarians. A veterinarian in good faith and in the course of his professional practice only and not for use by a human being, may prescribe, administer and dispense narcotic drugs and he may cause them to be administered by an assistant or orderly under his direction and supervision.

24:18-24. Return of unused portion of drugs. A person, who has obtained from a practitioner any narcotic drug for adminstration to a patient during the absence of such practitioner, shall return to such practitioner any unused portion of the drug when it is no longer required by the patient.

ARTICLE 5A. REPORTS OF NARCOTICS CASES.

24:18-24.1. Report by physician of determination that person is suffering from effect of use of narcotic drug. Every physician shall, within twenty-four hours after determining that any person is suffering from the effect of the use of a narcotic drug as defined in 24:18-2 of the Revised Statutes, taken for purposes other than the treatment of sickness or injury as prescribed or administered by a person duly authorized by law to treat sick and injured human beings, report such determination to the office of the Superintendent of the State Police or mail a report thereof to that office.

24:18-24.2. Failure to make report. Any person who fails tc make any report required of him by this act is a disorderly person.

ARTICLE 6. RECORDS

24:18-25. Practitioners to keep records. Every practitioner or other person who is authorized to administer or professionally use narcotic drugs, shall keep a record of such drugs received by him, and a record of all such drugs administered, dispensed, or professionally used by him otherwise than by prescription.

It shall, however, be deemed a sufficient compliance with this article if any such person using small quantities of solutions or other preparations of such drugs for local applications, shall keep a record of the quantity, character, and potency of such solutions

or other preparations purchased or made up by him, and of the dates when purchased or made up, without keeping a record of the amount of such solution or other preparation applied by him to individual patients.

24:18-26. Manufacturers and wholesalers to keep records. Manufacturers and wholesalers shall keep records of all narcotic drugs compounded, mixed, cultivated, grown, or by any other process produced or prepared, and of all narcotic drugs received and disposed of by them, in accordance with the provisions of this article. Provided, however, that such records shall not be required of wholesalers for those narcotic drugs designated as Class "M" narcotic drugs in section 24:18-7 a. (2) as such class of narcotic drugs shall hereafter from time to time be revised by law or regulation as provided in section 24:18-7.

24:18-27. Pharmacists and pharmacy owners to keep records. Pharmacists and pharmacy owners shall keep records of all narcotic drugs received and disposed of by them, in accordance with the provisions of this article. Provided, however, that such records shall not be required for those narcotic drugs designated as Class "M" narcotic drugs in section 24:18-7 a. (2) as such class of narcotic drugs shall hereafter from time to time be revised by law or regulation as provided in section 24:18-7.

24:18-28. Records by purchasers for resale. Every person who purchases for resale shall keep a record showing the quantities and kinds thereof received or sold or disposed of otherwise, in accordance with the provisions of this article. Provided, however, that such records shall not be required for those narcotic drugs designated as Class "M" narcotic drugs in section 24:18-7 a. (2) as such class of narcotic drugs shall hereafter from time to time be revised by law or regulation as provided in section 24:18-7.

24:18-29. of the Revised Statutes is repealed. *Source: Chapter 313-P.L. 1966 effective, Dec. 29, 1966.*

24:18-30. Form of record of drugs received. The record of narcotic drugs received shall in every case show the date of receipt, the name and address of the person from whom received, and the kind and quantity of drugs received; the kind and quantity of narcotic drugs produced or removed from process of manufacture and the date of such production or removal from process of manufacture; and the record shall in every case show the proportion of morphine, cocaine, or ecogonine contained in or producible from crude opium or coca leaves received or produced, and the proportion of resin contained in or producible from any part of the plant cannabis sativa L., from which the resin has not been extracted, received or produced.

24:18-31. Form of record of drugs disposed of. The record of all narcotic drugs sold, administered, compounded, dispensed or otherwise disposed of, shall show the date of selling, administering, compounding or dispensing, the name and address of the person to whom, or for whose use, or the owner and species of the animal for which, the narcotic drug was sold, administered, compounded or dispensed, and the kind and quantity of drugs.

24:18-32. Record retained for two years. Every record required by this article shall be kept for a period of two years from the date of the transaction recorded.

24:18-33. Keeping records required by federal laws; drugs lost, destroyed or stolen. Practitioners, manufacturers, wholesalers, pharmacists, hospitals and laboratories keeping such records as may be required by Federal Narcotic Law relating to the receipt, manufacture, inventory, distribution (including dispensing, sale or other disposition) and information as to narcotics stolen, lost or destroyed shall be deemed to be in compliance with the record-keeping requirements of this article.

ARTICLE 7. LABELS AND CONTAINERS

24:18-34. The form of label on containers of manufacturers and wholesalers; altering or removing label. Whenever a manufacturer sells or dispenses a narcotic drug in a package prepared by him, he shall securely affix to each package in which that drug is contained a label showing in legible English the name and address of the vendor and the quantity, kind and form of narcotic drug contained therein. Whenever a wholesaler sells or dispenses a narcotic drug in any package or shipping container other than the package in which received from the manufacturer, he shall securely affix to such package a label showing in legible English his name and address.

No person except a pharmacist for the purpose of filling a prescription under this chapter, shall alter, deface or remove any label so affixed by the manufacturer.

24:18-35. Form of label to be used by pharmacists; altering or removing label. Whenever a pharmacist sells or dispenses any narcotic drug on a prescription issued by a practitioner he shall affix to the container in which such drug is sold or dispensed, a label showing his own name, address, registry number, or the name, address, and registry number of the pharmacist or pharmacy owner for whom he is lawfully acting; the name and address of the patient or, if the patient is an animal, the name and address of the owner of the animal and the species of the animal; the name, address and registry number of the practitioner by whom the prescription was written; and such directions as may be stated on the prescription.

No person shall alter, deface, or remove any label so affixed as long as any of the original contents remain.

24:18-36. Drug to be kept in original container. An individual to whom or for whose use any narcotic drug has been prescribed, sold or dispensed, by a physician, dentist, pharmacist or other person authorized under the provisions of this chapter and the owner of any animal for which any such drug 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 the same.

ARTICLE 8. NUISANCES AND FORFEITURES.

24:18-37. Certain places common nuisances. Any store, shop, warehouse, dwelling house, building, vehicle, boat, aircraft, or any place whatever, which is resorted to by narcotic drug addicts for the purpose of using narcotic drugs or which is used for the illegal keeping or selling of the same, shall be deemed a common nuisance. No person shall keep or maintain such common nuisance.

24:18-38. Forfeiture of drugs; destruction; other disposition; records. All narcotic drugs the lawful possession of which is not established or the title to which cannot be ascertained, which have come into the custody of a peace officer, shall be forfeited, and disposed of as follows:

a. The court or magistrate having jurisdiction shall immediately notify the State Department of Health and unless otherwise requested within fifteen days by the Department in accordance with paragraph "b" of this section shall order such narcotic drugs forfeited and destroyed. A record of the place where such drugs were seized, of the kinds and quantities of drugs so destroyed, and of the time, place and manner of destruction, shall be kept, and a return under oath, reporting such destruction, shall be made to the court or magistrate and to the United States Commissioner of Narcotics, by the officer who destroys them.

b. Upon written application by the State Department of Health, the court or magistrate by whom the forfeiture of narcotic drugs has been decreed may order the delivery of them, except heroin and its salts and derivatives, to the Department for distribution or destruction, as herinafter provided.

c. Upon application by any hospital within this State, not operated for private gain, the State Department of Health may in its discretion deliver any narcotic drugs that have come into its custody by authority of this section to the applicant for medicinal use. The State Department of Health may from time to time deliver excess stocks of such narcotic drugs to the United States Commissioner of Narcotics, or shall destroy the same.

d. The State Department of Health shall keep a full and complete record of all drugs received and of all drugs disposed of, showing the exact kinds, quantities, and forms of such drugs; the persons from whom received and to whom delivered; by whose authority

received, delivered and destroyed; and the dates of the receipt, disposal, or destruction, which record shall be open to inspection by all Federal and State officers charged with the enforcement of Federal and State narcotics laws.

24:18-38.1. Vehicles used in connection with violations; seizure. Any motor vehicle, boat, vessel, aircraft or other vehicle used in, for or in connection with the violation of any of the provisions of chapter eighteen of Title 24 of the Revised Statutes together with all articles, implements, paraphernalia and other personal property used in, for or in connection with the violation of any such provisions is hereby declared to be unlawful property. Any person or officer authorized to enforce the provisions of chapter eighteen of Title 24 of the Revised Statutes knowing or having reasonable cause to believe that any such motor vehicle, boat, vessel, aircraft or other vehicle, or that any such articles, implements, paraphernalia or other personal property constitutes such unlawful property, shall seize the same and shall forthwith give notice thereof, in writing, to the Attorney General of New Jersey and the county prosecutor of the county wherein the seizure was made, setting forth in detail a description of the property so seized.

24:18-38.2. Custody of seized property pending trial. All property when seized shall be delivered to and be under the supervision of the county prosecutor for the county in which the seizure was made and shall be retained by the said prosecutor pending trial or ultimate disposition of the charge or charges, indictment or indictments, growing out of any arrest in connection with such property was seized.

24:18-38.3. Application for order of forfeiture; return of property in case of acquittal; forfeiture after six months. If the trial or other ultimate disposition of such charge or charges indictment or indictments result in a record of conviction being entered against the person or persons so arrested as aforesaid, in connection with which arrest the said property was seized, then the county prosecutor may make application without prior notice to a judge of the County Court of said county, for an order declaring and ordering that such property be forfeited to the sole use and gain of the county; provided, however, that proof, to the satisfaction of the Court, shall first be established that no suit or proceeding, then pending and undetermined, has been filed in any court of competent jurisdiction, against said county prosecutor seeking a recovery or return of such property.

If the trial or other ultimate disposition of such charge or charges, indictment or indictments, result in an acquittal or other final termination of such proceedings in favor of the person or persons so arrested as aforesaid in connection with which arrest the said property was seized, then the persons claiming to own the said property may, within six months from the date of such acquittal or other final termination, in addition to any other rem-

edy now provided by law, make application, on giving ten days' prior notice thereof to the county prosecutor, to a judge of the County Court of said county for an order declaring such property to be the property of such person or persons and ordering the same to be returned by the county prosecutor. At any time after the expiration of said period of six months from the date of acquittal or other final termination, the county prosecutor may make application without prior notice to a judge of the County Court of said county, for an order declaring and ordering that such property in the custody of the county prosecutor, be forfeited to the sole use and gain of the county; provided, however, that proof, to the satisfaction of the Court, shall first be established that no suit or proceeding then pending and undetermined, has been filed in any court of competent jurisdiction, seeking recovery.

ARTICLE 9. OFFENSES.

24:18-39. Unlawful obtaining or procuring administration of drugs. No person shall obtain or attempt to obtain a narcotic drug, or procure or attempt to procure the administration of a narcotic drug, (a) by fraud, deceit, misrepresentation, or subterfuge; or (b) by the forgery or alteration of a prescription or of any written order; or (c) by the concealment of a material fact or (d) by the use of false name or the giving of a false address.

24:18-40. Information communicated to physician; when not privileged. Information communicated to a physician in an effort unlawfully to procure a narcotic drug, or unlawfully to procure the administration of any such drug, shall not be deemed a privileged communication.

24:18-41. False statements. No person shall willfully make a false statement in any prescription, order, report, or record, required by this chapter.

24:18-42. False representations. No person shall, for the purpose of obtaining a narcotic drug, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, pharmacist, pharmacy owner, practitioner, or other authorized person.

24:18-43. Forged prescriptions. No person shall make or utter any false or forged prescription or written order.

24:18-44. False or forged labels. No person shall affix any false or forged label to a package or receptacle containing narcotic drugs.

24:18-45. Application of preceding sections to exempt preparations. The provisions of section 24:18-39 to 24:18-44 of this Title shall apply to all transactions relating to narcotic drugs, or to preparations containing a narcotic drug, under the provisions of section 24:18-7 of this Title in the same way as they apply to transactions under all other sections.

24:18-46. Burden of proof upon defendant. In any complaint, information, or indictment, and in any action or proceeding brought for the enforcement of any provision of this chapter, it shall not be necessary to negative any exception, excuse, proviso, or exemption, contained in this chapter, and the burden of proof of any such exception, excuse, proviso, or exemption, shall be upon the defendant.

24:18-47. Violation of high misdemeanor; punishment; previous convictions. Any person as in this chapter defined.

a. Who, being of or over the age of 21 years, sells, gives, administers or dispenses any narcotic drug other than medicinal preparation specified under the provisions of section 24:18-7, and except as authorized by this chapter, to any person under the age of 18 years shall be guilty of a high misdemeanor and shall be punished by a fine of not less than $2,000.00 or more than $10,000.00 and by imprisonment at hard labor for not less than 2 years with a maximum of imprisonment for life or

b. Who sells, dispenses, administers or gives away any medicinal preparation in violation of the provisions of section 24:18-7 e. is a disorderly person or

c. Who violates any other provision hereof shall be guilty of a high misdemeanor and shall be punished as follows:

(1) For a first offense, by a fine not exceeding $2,000.00 and by imprisonment, with hard labor, for a term of not less than 2 years nor more than 15 years;

(2) For a second offense, by a fine not exceeding $5,000.00 and by imprisonment, with hard labor, for a term of not less than 5 years nor more than 25 years;

(3) For a third or subsequent offense, by a fine not exceeding $5,000.00 and by imprisonment, with hard labor, for a term of not less than 10 years with a maximum of imprisonment for life.

In case a person charged with a violation of any of the provisions of this chapter shall have been previously convicted of a violation of the laws of the United States or of any other state, territory or district relating to narcotic drugs, such previous conviction shall for the purpose of this section, be deemed a first or second offense as the case may be.

24:18-48. Copy of judgment of conviction sent to licensing authority and state department. On the conviction of any person of the violation of any provision of this chapter, a copy of the judgment and sentence, and of the opinion of the court or magistrate, if any opinion be filed, shall be sent by the clerk of the court, or by the magistrate, to the board or officer, if any, by whom the convicted defendant has been licensed or registered to practice his profession or to carry on his business. A duplicate copy of the judgment and sentence and opinion, if any opinion be filed, shall

be sent to the State Department of Health, 24:18-49. Repealed Laws of 1951, Chapter 58.

CHAPTER 26. MARIHUANA WEED DESTRUCTION.

26:2-81. Communication to prosecutor by state department; examination by agent. In order to protect the health, morals and welfare of the State of New Jersey whenever the prosecutor of the pleas of any county of the State of New Jersey received information that wild, cultivated or hidden growth or beds of alleged marihuana weed are located anywhere within his county, he shall immediately communicate such information to the State Department of Health, and the State Department of Health upon receipt of such information shall immediately dispatch one of its agents to said location who shall make an examination and determination of the alleged marihuana weed so as to determine the existence or nonexistence of marihuana weed at said location and the State Department of Health shall immediately communicate by writing its determination to the aforesaid prosecutor of pleas.

26:2-82. Destruction of weed; no civil responsibility. Upon certification by State Department of Health of the existence of marihuana weed at the location examined by the State Department of Health then the prosecutor of pleas is hereby empowered to dispatch one of his agents to the location so certified and said agent shall destroy said marihuana weed and said prosecutor of pleas or his agent shall not be civilly responsible in any manner whatsoever for destruction of said marihuana weed.

EXCERPTS FROM PHARMACY LAWS AND REGULATIONS

45:14-12.2. The Board of Pharmacy on receiving from any official charged with the duty of enforcing the narcotic laws under section 24:18-10 of Title 24 of the Revised Statutes proof satisfactory to the Board that a registered pharmacist or registered assistant pharmacist administered, dispensed or sold at retail a narcotic preparation in violation of section 24:18-7, shall suspend the certificate of such registered assistant pharmacist for such designated period of time as the Board in its discretion deems appropriate or may in its discretion revoke such certificate. A minimum suspension of 30 days shall be imposed for any second or subsequent offense under this section within 12 months following the previous offense.

The establishment of all of the following facts by the registered pharmacist or registered assistant pharmacist shall constitute a defense to a violation of section 24:18-7 e.:

a. that the minor falsely represented in writing at or prior to the time of the offense that he or she was 21 years of age or over,

b. that the appearance of the minor was such that an ordinary, prudent person would believe him or her to be 21 years of age or over, and

c. that the administering, dispensing or selling was made in good faith in reliance upon such written representation and appearance and in the reasonable belief that the minor was actually 21 years of age or over.

Any person whose certificate shall be suspended or revoked by the Board shall have the right to review such action by the Appellate Division of the Superior Court in lieu of prerogative writ.

Pursuant to authority vested in the State Commissioner of Health, under Section 2, Chapter 112, P.L. 1962, the following regulation is hereby promulgated governing sale and distribution of DIHYDROCODEINONE. The order promulgated by the Commissioner concerning this drug on August 2, 1962, is hereby rescinded.

REGULATION CONCERNING DIHYDROCODEINONE

Henceforth no quantity of DIHYDROCODEINONE shall be exempt from the provisions of Section 24:18-7 of the Uniform Narcotic Drug Law of this State (Chapter 18, Title 24 of the Revised Statutes).

Roscoe P. Kandle, M.D.
State Commissioner of Health

Effective Date: September 10, 1962
Filed with Secretary of State: September 10, 1962

Pursuant to authority vested in me as State Commissioner of Health under the Uniform Narcotic Drug Law, as amended and supplemented by Chapter 313, P.L. 1966, I do hereby promulgate the following regulation governing the sale and distribution of paregoric.

* * *

REGULATION CONCERNING PAREGORIC

Paregoric, as defined in the United States Pharmacopeia XVII shall be henceforth regarded as a narcotic drug and subject to the provisions of the Uniform Narcotic Drug Law of this State requiring a prescription except when sold or dispensed in compounds containing not more than one fluid drachm of Paregoric in each fluid ounce.

Roscoe P. Kandle, M.D.
State Commissioner of Health

Filed with Secretary of State: February 17, 1967
Effective Date: February 16, 1967

RULES AND REGULATIONS

The State Department of Health of the State of New Jersey, pursuant to authority vested in it by the Uniform Narcotic Drug Law, hereby establishes the following rules and regulations concerning the security of narcotic drugs.

STATE DEPARTMENT OF HEALTH

OF THE STATE OF NEW JERSEY

Roscoe P. Kandle, M.D.
State Commissioner of Health

Filed with Secretary of State: October 1, 1964
Effective Date: November 2, 1964

REGULATIONS
CONCERNING SECURITY OF NARCOTIC DRUGS

I. DEFINITIONS

A. COMMISSIONER means the New Jersey State Commissioner of Health.

B. DEPARTMENT means the New Jersey State Department of Health.

C. ELECTRICAL PROTECTION as defined by Underwriters Laboratories, Inc.

1. Grade A:—Requires a force adequate to respond with two or more guards on all alarms in an average elapsed time of not more than 10 minutes.

   Complete:—Protecting with acceptable devices the top, bottom, all sides and outer doors of safes or vaults.

2. Mercantile Premise Alarms System:—System suitable for protection of mercantile premises and stock rooms but not for protection of safes and vaults.

   Installation 3:—Protecting with screens (or foils and traps) all accessible windows (except stationary show windows), doors, transoms, skylights, and other openings leading from the premises;

   (or) protecting with contacts only all movable accessible openings leading from the premises and providing one or more invisible rays or channels of radiation with the minimum overall length of the rays or radiation equivalent to the longest dimensions of the area or areas so as to detect movement through the channel at any point;

   (or) protecting with contacts all doors leading from the protected area or areas and providing a system of invisible radiation to all sections of the enclosed area so as to detect four-step movement.

3. Holdup Alarm System:—means a low voltage electrical signalling system designed to provide means of calling help from outside stations in the event of interior robbery of the premises.

   Manual:—means a system in which the origination of a call for help depends solely on operation of conventional manually operated or foot operated switches installed within the licensed premise.

D. LICENSED PREMISES means the land, buildings, and paraphernalia at the address appearing on the Narcotic License.

E. NARCOTIC LICENSE means a Narcotic Drug License granted in accordance to the narcotics operations engaged in by the licensee:

CLASS I	Granted to Importers, Manufacturers, Producers, Compounders.
CLASS II	Granted to wholesale dealers.
CLASS V-M	Granted to manufacturers of exempt preparations.
CLASS V-D	Granted to dealers in exempt preparations.
CLASS VI	Granted to laboratories to obtain and use narcotics for the purpose of research, instruction or analysis.

F. STRONG ENCLOSURE means a construction equivalent to or stronger than the following:

Frame may be of 2" x 4" lumber. Walls should be of a minimum height of 10 feet, preferably to the ceiling. If the walls do not reach to the ceiling, the enclosure should be separately ceiled. When screening is used for the enclosure of any opening in a solid partition, it shall not exceed a 3" diamond mesh, and be equivalent to a 9 gauge wire. The door, or doors, to the enclosure shall be self-closing and self-locking, keyed to the outside with an emergency exit latch on the inside. The interior latch shall be protected by a metal plate surrounding the lock, attached to the interior of the door. The door, or doors, shall be kept locked at all times, except during openings for immediate traffic. Custody of the key shall be the responsibility of the person directly accountable for the narcotics in the strong enclosure. The strong enclosure shall be adequate in size and properly lighted.

G. SAFE means a safe rated by Underwriters Laboratories as equivalent to a rating of T-20 or better. If the safe should weigh less than 750 pounds, it shall be cemented or bolted to the floor or wall in such a manner as to make it immobile. If the safe should weigh more than 750 pounds, it shall be rendered immobile by removing all rolling equipment from the base. It shall be of adequate size.

H. VAULT means a construction in which the floor, walls and ceiling is of substantial masonry construction. The vault door shall be of steel, equivalent to a door rated two hours fire resistant by Underwriters Laboratories. It shall be equipped with a relocking device and a combination lock. An interior day-gate shall be provided. The interior day-gate shall be self-closing and self-locking, and kept locked at all times, except during openings for immediate traffic. The interior latch shall be protected by a metal plate surrounding the lock, attached to the interior of the door. It shall be of adequate size. Interior lighting shall be provided.

I. NEW VAULTS when constructed shall be of at least 8" reinforced concrete in floor, walls, and ceilings. Reinforcing cross-

ties shall be equivalent to 5/8" tie-rods, set not more than 4" off center—top to bottom and side to side. When engineering difficulties are encountered, special consideration shall be given. New vaults shall be equipped as provided in "H" above. New vaults shall be of adequate capacity and interior lighting shall be provided.

II. LICENSES

A. DISPLAY

A Narcotic License shall be framed and posted in a conspicuous place on the licensed premise.

B. RETURN

A Narcotic License shall be promptly returned to the Department upon notification of revocation or suspension, or when the legal entity to whom the license has been granted ceases to exist.

III. CLASSIFICATION OF NARCOTIC DRUGS

A. GENERAL

For practical and administrative purposes in licensing Manufacturers and Wholesalers and for the attendant security and safeguard provisions thereof, narcotic drugs shall be classified according to their addiction liability and the degree of control and security required.

B. CLASS "A"

Class "A" narcotic drugs shall include those drugs, their compounds, mixtures and preparations which, as designated by the Commissioner, possess addiction liability and require the greatest degree of security.

The following are classified as Class "A" narcotic drugs and subject to the provisions of these regulations:

1. OPIUM and its derivatives and compounds, including but not limited to the following:
   a. Raw, granulated, powdered, deodorized OPIUM, tincture of OPIUM, powdered or solid extracts of OPIUM and OPIUM preparations.
   b. Mixed alkaloids of OPIUM and their salts.
2. Phenanthrene opium alkaloids, their salts, derivatives and compounds, including but not limited to the following:
   (a) ACETYLCODONE (acetyldihydrocodeine), its salts compounds and preparations.
   (b) BENZYLMORPHINE, its salts, compounds and preparations.
   (c) CODEINE (methylmorphine) and its salts.

(d) CODEINE-N-OXIDE, its salts, compounds and preparations.

(e) DESOMORPHINE (dihydrodesoxymorphine-d), its salts, compounds and preparations.

(f) DESOXYMORPHINE, its salts, compounds and preparations.

(g) DIACETYLMORPHINE or HEROIN, its salts, compounds and preparations. (Manufacture, sale, distribution or possession is prohibited in the United States).

(h) DIHYDROCODEINE, its salts, compounds and preparations.

(i) DIHYDROMORPHINE, its salts, compounds and preparations.

(j) ETHYLMORPHINE and its salts.

(k) HYDROCODONE (dihydrocodeinone), its salts, compounds and preparations.

(l) HYDROMORPHINOL (14-hydroxydihydromorphine), its salts, compounds and preparations.

(m) HYDROMORPHONE (dihydromorphinone), its salts, compounds and preparations.

(n) METHYLDESORPHINE (6 - methyl - Δ^+ - desoxymorphine), its salts, compounds and preparations.

(o) METHYLDIHYDROMORPHINE (6-methyldihydromorphine), its salts, compounds and preparations.

(p) METOPON (methyldihydromorphine), its salts, compounds and preparations.

(q) MORPHINE alkaloid, MORPHINE salts, MORPHINE compounds and preparations.

(r) MORPHINE METHYLBROMIDE, its salts, compounds, and preparations.

(s) MORPHINE METHYLSULFONATE, its salts, compounds and preparations.

(t) MORPHINE -N- OXIDE (genomorphine), its salts, compounds and preparations.

(u) MYROPHINE (myristyl benzyl morphine), its salts, compounds and preparations.

(v) NICOCODINE (6-nicotinylcodeine), its salts, compounds and preparations.

(w) NICOMORPHINE (nicophine), its salts, compounds and preparations.

(x) NORMORPHINE, its salts, compounds and preparations.

(y) OXYCODONE (dihydrohydroxycodeinone), its salts, compounds and preparations.

(z) OXYMORPHINE (dihydrohydroxymorphine), its salts, compounds and preparations.

(aa) OXYMORPHONE (dihydrohydroxymorphinone), its salts, compounds and preparations.

(bb) PHOLCODINE (betamorpholinylethylmorphine, homocodeine), its salts, compounds and preparations.

(cc) THEBACON (acedicone, acetyldihydrocodeinone), its salts, compounds, and preparations.

(dd) THEBAINE, its salts, compounds and preparations.

3. COCA LEAVES, their alkaloids, derivatives, extracts or compounds, including but not limited to the following:
   a. COCAINE, its salts, compounds and preparations.
   b. EGGONINE, its salts, compounds and preparations.
   c. TROPOCOCAINE, its salts, derivatives, compounds and preparations.
4. MARIHUANA (Cannabis sativa), its derivatives or compounds. (Marihuana is not presently used for medicinal purposes in the United States.)
5. PETHIDINE (isonipecaine, meperidine), its salts, compounds and preparations.
6. Opiates, their salts, derivatives and compounds.

Pethidine Group:

(a) ALLYLPRODINE, 3-allyl-1-methyl-4-phenyl-4-propionoxypiperidine, its salts, compounds and preparations.

(b) ALPHAMEPRODINE, a-1-methyl-3-ethyl-4-phenyl-4-propionoxypiperidine, its salts, compounds and preparations.

(c) ALPHAPRODINE, a-1, 3-dimethyl-4-phenyl-4-propionoxypiperidine, its salts, compounds and preparations.

(d) ANILERIDINE, ethyl 1-[2-(p-aminophenyl)-ethyl]-4-phenylpiperidine-4-carboxylate, its salts, compounds and preparations.

(e) BENZETHIDINE, ethyl 1-(2-benzyloxyethyl)-4-phenyl-4-piperidinecarboxylate, its salts, compounds and preparations.

(f) BETAMEPRODINE, B-1-methyl-3-ethyl-4-phenyl-4-propionoxypiperidine, its salts, compounds and preparations.

(g) BETAPRODINE, 3-dimethyl-4-phenyl-4-propionoxypiperidine, its salts, compounds and preparations.

(h) DIPHENOXYLATE, ethyl 1-(3-cyano-3, 3-diphenylpropyl)-4-phenyl-4-piperidinecarboxylate, its salts, compounds and preparations.

(i) ETOXERIDINE, 1-[2-(2-hydroxyethoxy)-ethyl]-4-phenylpiperidine-4-carboxylic acid ethyl ester, its salts, compounds and preparations.

(j) FURETHIDINE, ethyl 1-(2-tetrahydrofurfuryloxy-ethyl)-4-phenyl-4-piperidinecarboxylate, its salts, compounds and preparations.

(k) HYDROXYPETHIDINE (bemidone, oxypetidin), 1-methyl-4-(3-hydroxyphenyl)-piperidine-4-carboxylic acid ethyl ester or 1-methyl-4-metahydroxyphenyl-piperidine-4 carboxylic acid ethyl ester, its salts, compounds and preparations.

(l) KETOBEMIDONE, 4-(3-hydroxyphenyl)-1-methyl-4-piperidyl ethyl ketone or 1-methyl-4-metahydroxyphenyl-4-propionylpiperidine, its salts, compounds and preparations.

(m) MORPHERIDINE (morpholinoethylnorpethidine), 1-(2-morpholinoethyl)-4-phenylpiperidine-4-carboxylic acid ethyl ethyl ester or 1-(2-morpholinoethyl)-4-carbethoxy-4-phenylpiperidine, its salts, compounds and preparations.

(n) NORPETHIDINE, ethyl-4-phenylpiperidine-4-carboxylate or 4-phenylpiperidine-4-carboxylic acid ethyl ester, its salts, compounds and preparations.

(o) PETHIDINE-INTERMEDIATE-A, 4-cyano-1-methyl-4-phenylpiperidine, its salts, compounds and preparations.

(p) PHENOPERIDINE, 1-(3-hydroxy-3-phenylpropyl)-4-phenylpiperidine-4-carboxylic acid ethyl ester, its salts, compounds and preparations.

(q) PIMINODINE, ethyl 4-phenyl-1-[3-(phenylamino)-propyl]-4-piperidine-carboxylate, its salts, compounds and preparations.

(r) PROPERIDINE, isopropyl 1-methyl-4-phenylpiperidine-4-carboxylate, its salts, compounds and preparations.

(s) TRIMPERIDINE, 1,2,5-trimethyl-4-phenyl-4-propion-oxypiperidine, its salts, compounds and preparations.

Methadone Group:

(a) ACETYLMETHADOL (methadyl acetate), 4,4-diphenyl-6-dimethylamino-3-acetoxyheptane or 6-dimethylamino-4, 4-diphenyl-3-acetoxyheptane, its salts, compounds and preparations.

(b) ALPHACETYLMETHADOL, a-6-dimethylamino-4, 4-diphenyl-3-acetoxyheptane, its salts, compounds and preparations.

(c) ALPHAMETHADOL, a-6-dimethylamino-4, 4-diphenyl-3-heptanol, its salts, compounds and preparations.

(d) BETACETYLMETHADOL, B-6-dimethylamino-4, 4-diphenyl-3-acetoxyheptane, its salts, compounds and preparations.

(e) BETAMETHADOL, B-4, 4-diphenyl-6-dimethylamino-3-heptanol or B-6-dimethylamino-4, 4-diphenyl-3-heptanol, its salts, compounds and preparations.

(f) DEXTROMORAMIDE, d-3-methyl-2, 2-diphenyl-4-morpholino-butyrylpyrrolidine or d-2, 2-diphenyl-3-methyl-4-morpholino-butyrylpyrrolidine, its salts, compounds and preparations.

(g) DIMENOXADOL, dimethylaminoethyl 1-ethoxy-1, 1-diphenylacetate or dimethylaminoethyl diphenyl-a-ethoxyacetate, its salts, compounds and preparations.

(h) DIMEPHEPTANOL, 4,4-diphenyl-6-dimethylaminoheptanol-3 or 6-dimethylamino-4, 4-diphenyl-3-heptanol, its salts, compounds and preparations.

(i) DIOXAPHETYL BUTYRATE, ethyl 2, 2-diphenyl-4-morpholinobutyrate, its salts, compounds and preparations.

(j) DIPIPANONE, (piperidylamidone, piperidylmethadone), 4, 4-diphenyl-6-piperidino-3-heptanone, its salts, compounds and preparations.

(k) ISOMETHADONE, 4, 4-diphenyl-5-methyl-6-dimethylaminohexanone-3 or 6-dimethy'amino-5-methyl-4, 4-diphenyl-3-hexanone, its salts, compounds and preparations.

(l) LEVOMORAMIDE, -3-methyl-2, 2-diphenyl-4-morpholino-butyrylpyrrolidine, its salts, compounds and preparations.

(m) METHADONE, 4, 4-diphenyl-6-dimethylaminoheptanone-3 or 6-dimethylamino-4, diphenyl-3-heptanone, its salts, compounds and preparations.

(n) METHADONE-INTERMEDIATE, 4-cyano-2-dimethylamino-4, 4-diphenylbutane, its salts, compounds and preparations.

(o) MORAMIDE-INTERMEDIATE, 2-methyl-3-morpholino-1, 1-diphenyl-propane-carboxylic acid, its salts, compounds and preparations.

(p) NORACYMETHADOL, a-d -3-acetoxy-6-methyl-amino-4, 4-diphenylheptane, its salts, compounds and preparations.

(q) NORMETHADONE, 4, 4-diphenyl-6-dimethylamino-3-hexanone, its salts, compounds and preparations.

(r) PHENADOXONE or CB-11, 4, 4-diphenyl-6-morpholinoheptanone-3 or 6-morpholino-4, 4-diphenyl-3-heptanone, its salts, compounds and preparations.

(s) RACEMORIMIDE, d-3-methyl-2, 2-diphenyl-4-morpholino-butyrylpyrrolidine, its salts, compounds and preparations.

Morphinan Group:

(a) DEXTROPHAN, d-3-hydroxy-N-methylmorphinan, its salts, compounds and preparations.

(b) LEVOMETHORPHAN, -3-methoxy-N-methylmorphinan or (-)-3-methoxy-N-methylmorphinan, its salts, compounds and preparations.

(c) LEVOPHENACYLMORPHAN, -3-hydroxy-N-phenacylmorphinan or (-)-3-hydroxy-N-phenacylmorphinan, its salts, compounds and preparations.

(d) LEVORPHANOL, -3-hydroxy-N-methylmorphinan or (-)-3-hydroxy-N-methylmorphinan, its salts, compounds and preparations.

(e) METAZOCINE (methobenzorphan), 2′-hydroxy-2,5,9-trimethyl-6, 7-benzomorphan, its salts, compounds and preparations.

(f) NORLEVORPHANOL, -3-hydroxynormorphinan or (-)-3-hydroxynormorphinan, its salts, compounds and preparations.

(g) PHENAZOCINE (phenobenzorphan), 2′-hydroxy-5, 9-dimethyl-2-(2-phenylethyl)-6, 7-benzorphan, its salts, compounds and preparations.

(h) PHENOMORPHAN, 3-hydroxy-N-phenethyl-morphinan, its racemic and levorotatory forms (but excepting its dextrorotatory form), their salts, compounds and preparations.

(i) RACEMETHORPHAN, d -3-methoxy-N-methylmorphinan, its salts, compounds and preparations.

(j) RACEMORPHAN, d -3-hydroxy-N-methylmorphinan, its salts, compounds and preparations.

Thiambutene Group:

(a) DIETHYLTHIAMBUTENE (diethibutin, diethylambutene), 3-diethylamino-1, 1-di-(2-thienyl)-1-butene, its salts, compounds and preparations.

(b) DIMETHYLTHIAMBUTENE (aminobutene, dimethinbutin), 3-dimethylamino-1, 1-di-(2-thienyl)-1-butene, its salts, compounds and preparations.

(c) ETHYLMETHYLTHIAMBUTENE (ethylmethiambutene), 3-ethylmethylamino-1, 1-di-(2-thienyl)-1-butene, its salts, compounds and preparations.

Others:

(a) CLONITAZENE, 2-(p-chlorobenzyl)-1-diethylaminoethyl-5-nitrobenzimidazole, its salts, compounds and preparations.

(b) DIAMPROMIDE, N-[2-(methylphenethylamino)-propyl]-propionanilide, its salts, compounds and preparations.

(c) ETONITAZENE, 2-(p-ethoxybenzyl)-1-diethylaminoethyl-5-nitrobenzimidazole, its salts, compounds and preparations.

(d) PHENAMPROMIDE, N-(1-methyl-2-piperidinoethyl)-propionanilide, its salts, compounds and preparations.

(e) PROHEPTAZINE, 1, 3-dimethyl-4-phenyl-4-propionoxyhexamethyleneimine, its salts, compounds and preparations.

C. CLASS "B"

Class "B" narcotic drugs shall include those drugs, their compounds, mixtures and preparations which, as designated by the Commissioner possess a lesser or no addiction liability and require a lesser degree of security than Class "A" narcotic drugs.

The following are classified as Class "B" narcotic drugs and subject to the provisions of these regulations:

1. Isoquinoline Alkaloids of opium, or any of their salts.
   (a) NARCOTINE
   (b) PAPAVERINE
   (c) COTARNINE
   (d) NARCEINE
   (e) MECONIN
2. APOMORPHINE or any of its salts, alone or in combination with other active non-narcotic medicinal ingredients.
3. NALORPHINE (N-allyl-normorphine) or any of its salts.
4. (a) Compounds of CODEINE (methylmorphine) or any of its salts, with equal or greater quantity of isoquinoline alkaloid where codiene content does not exceed eight (8) grains per fluid ounce or one grain per dosage unit.
   (b) Compounds of CODEINE (methylmorphine), or any of its salts, with one or more active non-narcotic ingredients in therapeutic amounts where codeine content does not exceed eight (8) grains per fluid ounce or one grain per dosage unit.
5. (a) Compounds of HYDROCODONE (dihydrocodeinone) or any of its salts, with a four-fold quantity of any isoquinoline alkaloid where hydrocodone content does not exceed one and one-third grains per fluid ounce or one-sixth grain per dosage unit.

(b) Compounds of HYDROCODONE (dihydrocodeinone) or any of its salts, with one or more active non-narcotic ingredients in therapeutic amounts where hydrocodone content does not exceed one and one-third grains per fluid ounce or one-sixth grain per dosage unit.

6. Compounds of DIHYDROCODEINE, or any of its salts, with one or more active non-narcotic medicinal ingredients in therapeutic amounts where the dihydrocodeine does not exceed eight (8) grains per fluid ounce or one grain per dosage unit.
7. Compounds of ETHYLMORPHINE, or any of its salts, with one or more active non-narcotic ingredients in therapeutic amounts where the ethylmorphine content does not exceed one and one-third grains per fluid ounce or one-sixth grain per dosage unit.

D. CLASS "X"

Class "X" narcotic drugs shall include those drugs, their compounds, mixtures and preparations which qualify for exemption according to R.S.N.J. 24:18-7, and as designated by the Commissioner, require a lesser degree of security than Class "B" narcotic drugs.

The following are classified as Class "X" narcotic drugs and subject to the provisions of these regulations:

1. OPIUM Preparations: containing not more than two grains of opium per fluid or avoirdupois ounce along with therapeutically active non-narcotic ingredients.
2. MORPHINE Preparations: containing not more than one-fourth grain morphine, or any of its salts, per fluid or avoirdupois ounce, along with therapeutically active non-narcotic ingredients.
3. CODEINE Preparations: containing not more than one grain codeine, or any of its salts, per fluid or avoirdupois ounce, along with therapeutically active non-narcotic ingredients.
4. DIHYDROCODEINE Preparations: containing not more than one-half grain dihydrocodeine, or any of its salts, per fluid or avoirdupois ounce, along with therapeutically active non-narcotic ingredients.
5. ETHYLMORPHINE Preparations: containing not more than one-fourth grain ethylmorphine, or any of its salts, per fluid or avoirdupois ounce along with therapeutically active non-narcotic ingredients.
6. DIPHENOXYLATE Preparations: pharmaceutical preparations in liquid or solid forms containing not more than 2.5mg. diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

E. CLASS "M"

Class "M" narcotic drugs shall include those drugs, their compounds, mixtures and preparations as designated by the Commissioner which require a lesser degree of security than Class "X" narcotic drugs.

The following are classified as Class "M" narcotic drugs and subject to the provisions of these regulations:

1. NARCOTINE Preparations: any pharmaceutical preparation containing narcotine, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.
2. PAPAVERINE Preparations: any pharmaceutical preparation containing papaverine, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.
3. NARCEINE Preparations: any pharmaceutical preparation containing narceine, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.
4. COTARNINE Preparations: any pharmaceutical preparation containing cotarnine, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.
5. NALORPHINE Preparations: Any pharmaceutical preparation containing nalorphine, without limit in quantity, along with either active or inactive non-narcotic ingredients of the type used in medicinal preparations.

IV. SECURITY AND SAFEGUARD STANDARDS

A. GENERAL REQUIREMENTS

Narcotic drugs shall at all times be properly safeguarded and securely kept only on the licensed premises. Narcotic drugs together with records necessary to substantiate their origin, inventory, and disposition shall be available on the licensed premise for inspection by properly authorized agents of the New Jersey State Department of Health.

Access to narcotic drugs shall be limited to that minimum number of employees required to have access to handle efficiently the operations and administration of the licensee's business.

The licensee shall be responsible for the reporting and correcting of any diversion or mishandling of narcotic drugs on the licensed premise.

The licensee shall provide the security and safeguard provisions as required by this regulation. If the registrant shall have existing safeguards which can be regarded **in toto** as an adequate substitute for some element of protection as defined in this regulation, these substitute safeguards may be taken into account in evaluating the overall standards required.

Registrants granted a Narcotic Drug License in Class I are eligible for inclusion of Class II and V (D & M) with a single application and fee; provided applicable security provisions are in compliance.

B. REQUIREMENTS FOR A CLASS I NARCOTIC DRUG LICENSE

A Class I licensee shall provide the security and safeguards as follows:

1. General

Such necessary measures or circumstances that shall impede or control entry into the licensed premise or which shall prevent unchallenged entry into the areas within these premises where narcotic drugs are manufactured, stored or used.

2. Storage of Class "A" and "B" Narcotic Drugs

a. For the storage of bulk narcotic Class "A" manufacturing ingredients, and finished narcotic products, other than those finished narcotic products classified as "X" or "M" narcotic drugs, there shall be provided a vault or vaults of adequate capacity and interior lighting; except: in the case of the storage of Coca Leaves, there shall be provided a building or room of concrete, masonry or steel construction with access doors kept securely locked except during opening for immediate traffic.

b. For the storage of bulk narcotic Class "B" manufacturing ingredients and finished narcotic products, other than those finished narcotic products classified as X or M, a safe or vault shall be provided with adequate capacity and lighting.

c. The safe, vault or vaults shall be electrically protected by a system defined as Grade A — Complete.

3. Storage of Class "X" and "M" Narcotic Drugs

a. For the storage of finished narcotic drug products classified as "X" and "M", a strong enclosure shall be provided, unless the entire area offers reasonable security and is closely supervised.

4. Operations

a. The area used for the manufacture, storage, and packaging of Class "A" and "B" drugs shall be enclosed within a

physical barrier. When engaged in these narcotics operations, this area shall be physically segregated from other non-narcotics operations and shall be closely supervised. Reasonable security shall be provided.

b. Entrance doors into the narcotic manufacturing or packaging area shall be self-closing and self-locking, keyed to the outside with an emergency exit latch on the inside; and limited to that number of doors necessary for movement of personnel and materials. If solid panel entrance doors are used, there shall be an aperature or other means sufficient to determine the presence of individuals inside or outside of the door.

c. At the completion of a working day, all narcotic Class "A" and "B" manufacturing bulk ingredients, in-process narcotic preparations, and finished narcotic products shall be returned to the narcotic storage vault. Where, due to requirements of a manufacturing process, it is not possible to return these in-process narcotic manufacturing ingredients to the narcotic storage vault at the completion of the working day, suitable, effective, electrical, protective measures, equivalent to a system defined as Mercantile Premise Alarm — Installation 3, shall be required to safeguard the in-process manufacturing narcotic ingredients while not under the electrical protection afforded in the narcotic storage vault.

5. Internal Safeguards

a. For additional security to Class "A" and "B" narcotic stocks and safeguards for personnel, a Holdup Alarm System — Manual shall be provided. This system shall include a minimum of three alarm signal buttons located as follows:

1. Within the vault.
2. In close proximity to the vault with an unobstructed view of the entrance to the vault and in an area accessible to other employees.
3. At a distance from the vault with an unobstructed view of the entrance to the vault and in an area accessible to other employees.

b. Where other hazards exist, additional safeguards may be required.

C. REQUIREMENTS FOR A CLASS II NARCOTIC DRUG LICENSE

A Class II licensee shall provide the security and safeguards as follows:

1. General

Such necessary measures or circumstances that shall impede or control entry into the licensed premise and which shall prevent unchallenged entry into the area within these premises where narcotic drugs are stored, packaged, or shipped.

2. Storage of Class "A" and "B" Narcotic Drugs

a. For the storage of packaged narcotic drug products, other than those packaged narcotic drug products classified as "X" and "M" narcotic drugs, there shall be provided a vault or safe.

b. The vault or safe shall be protected by a system defined as Grade A — Complete.

3. Storage of Class "X" and "M" Narcotic Drugs

a. For the storage of packaged narcotic drugs classified as "X" and "M" a strong enclosure shall be provided, unless the entire area offers reasonable security and is closely supervised.

4. Operations

a. Unless assembling of Class "A" and/or Class "B" narcotic drug orders is done within a vault, a strong enclosure shall enclose the safe or vault door to limit accessibility to the safe or vault door when open; it shall be of adequate size for the assembling of narcotic drug orders.

5. Internal Safeguards

a. For additional security to Class "A" and "B" narcotic stocks and safeguards for personnel, a Holdup Alarm System — Manual shall be provided. This system shall include a minimum of three signal buttons as follows:

(1) Within the vault or close to the safe.

(2) In close proximity to the safe with an unobstructed view of the entrance to the safe and in an area accessible to other employees.

(3) At a distance from the safe with an unobstructed view of the entrance to the safe and in an area accessible to other employees.

b. Where other hazards exist, additional safeguards may be required.

D. REQUIREMENTS FOR A CLASS V (M) NARCOTIC DRUG LICENSE

A Class V (M) licensee shall provide the security and safeguards as follows:

1. General

Such necessary measures or circumstances that shall impede or control entry into the licensed premises or which shall prevent unchallenged entry into the area within the premise where narcotic drugs are stored, manufactured, or used.

2. Storage of Class "A" and "B" Narcotic Drugs

a. For the storage of Class "A" and "B" narcotic drugs used in the manufacture of finished narcotic products classified as Class "X" and "M", a safe shall be provided.

b. The safe shall be protected by a system defined as Grade A — Complete.

3. Storage of Class "X" and "M" Narcotic Drugs

a. For the storage of finished packaged narcotic drugs classified as "X" and "M", a strong enclosure shall be provided, unless the entire area offers reasonable security and is closely supervised.

4. Operations

a. The manufacture and packaging of narcotic drugs classified as "X" and "M" shall be supervised, conducted, and completed in a manner to provide reasonable security. The presence of personnel other than those employees required in the narcotic operation, shall be restricted.

b. Where due to requirements of a manufacturing operation, the in-process formula after the introduction of the active narcotic ingredient, cannot be processed to completion within a working day, it shall be protected by suitable, effective, protective measures.

5. Internal Safeguards

a. For additional security to the bulk Class "A" and "B" narcotic stocks and safeguards for personnel, a Holdup Alarm System — Manual shall be provided. This system shall include a minimum of three alarm signal buttons as follows:

1. At the safe.
2. In close proximity to the safe, with an unobstructed view of the entrance to the safe and in an area accessible to other employees.
3. At a distance from the safe with an unobstructed view of the entrance to the safe and in an area accessible to other employees.

b. Where other hazards exist, additional safeguards may be required.

E. REQUIREMENTS FOR A CLASS V (D) NARCOTIC DRUG LICENSE

A Class V (D) licensee shall provide the security and safeguards as follows:

1. General

Such necessary measures or circumstances that shall impede or control entry into the licensed premise and which shall prevent unchallenged entry into the area within the premise where narcotic drugs are stored.

2. Storage of Class "X" and "M" Narcotic Drugs

a. For the storage of finished packaged narcotic drugs classified as Class "X" and "M", a strong enclosure shall be provided, unless the entire area offers reasonable security and is closely supervised.

3. Operations

a. Wholesalers shall supply narcotic drugs classified as "X" and "M" only in the original finished package or container as supplied by the manufacturer of such.

b. Repackaging, relabeling, or in any other manner altering the finished package or container is considered a manufacturing operation, and subject to the provisions thereof.

4. Internal Safeguards

a. Where special hazards shall exist, additional safeguards may be required.

F. REQUIREMENTS FOR A CLASS VI NARCOTIC DRUG LICENSE

A Class VI licensee shall provide the security and safeguards as follows:

1. General

Such necessary measures or circumstances that shall impede or control entry into the licensed premises or which shall prevent unchallenged entry into the area within the premise where narcotic drugs are stored.

2. Storage of Narcotic Drugs

For the storage of narcotic drugs used in or produced by experimental studies, a safe shall be provided.

3. Operations

Operations of a Class VI licensee shall be in accordance with the requirements set forth for this category in Regulation 5, Part 151 of Title 26 (1954) U.S. Treasury Department, IRS Publication No. 428 (6-59), and Regulation 8, Part 307 of Title 21, U.S. Treasury Department, June 1, 1961.

4. Internal Safeguards

Where special hazards exist, additional safeguards may be required.