

1 SEC. 6. Section two hundred three A point ten (203A.10), subsection two (2),
2 Code 1975, is amended to read as follows:

3 2. If in package form unless it bears a label containing (a) the name and place
4 of business of the manufacturer; *and if different, the name and place of the packer;*
5 or distributor; and (b) an accurate statement of the quantity of the contents in
6 terms of weight, measure, or numerical count; provided, that under clause "a" of
7 this subsection reasonable variations shall be permitted, and exemptions as to
8 small packages shall be established, by regulations prescribed by the board. *Any*
9 *drug subject to and in compliance with section seven (7) of this Act shall be deemed in*
10 *compliance with clause "a" of this subsection.*

1 SEC. 7. Chapter two hundred three A (203A), Code 1975, is amended by
2 adding the following new section:

3 **NEW SECTION. Information filed and placed on labels.** Any prescription drug,
4 as defined in section one hundred fifty-five point three (155.3), subsection ten (10)
5 of the Code, is misbranded unless:

6 1. The label sets forth:

7 a. The generic name of the drug, which shall be printed in a type size at least
8 half as large as that used for the brand or trade name of the drug product; and

9 b. The name and place of business of the actual manufacturer of the finished
10 dosage form of the drug and if different, the name and place of business of the
11 packer or distributor of the drug.

12 2. There has been filed with the board by the manufacturer packer or
13 distributor of the drug a statement which is accurate with respect to the drug
14 setting forth the information required by subsection one (1) of this section
15 together with all additional information relating to demonstrated bioavailability,
16 side effects, contraindications and effectiveness as may be required by rules of the
17 board.

Approved May 7, 1976

CHAPTER 1117

PREScription DRUGS AND CONTROLLED SUBSTANCES

H. F. 1464

AN ACT relating to regulation of prescription drugs and controlled substances by the board of
pharmacy examiners.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section one hundred fifty-five point three (155.3), subsection five
2 (5), Code 1975, is amended to read as follows:

3 5. The term "wholesaler" shall mean any person operating or maintaining,
4 *either within or outside this state*, a manufacturing plant, wholesale distribution
5 center, wholesale business or any other business in which prescription drugs,
6 medicinal chemicals, medicines or poisons, are sold, manufactured, compounded,
7 dispensed, stocked, exposed or offered for sale at wholesale *in this state*. The term
8 "wholesaler" shall not include those wholesalers who sell only the products
9 defined in subsection 7. Nothing contained in this subsection shall in any way
10 affect the exemptions provided in section 155.25.

1 SEC. 2. Section one hundred fifty-five point twelve (155.12), unnumbered
2 paragraph two (2), Code 1975, is amended to read as follows:

3 Each license shall be issued only for the premises and to the persons named in
 4 the application and shall not be transferred or assigned. If a corporation or other
 5 business entity licensee elects to change or replace the pharmacist-manager within
 6 an annual registration period, a new license shall be obtained from the board
 7 ~~without additional fee.~~

1 SEC. 3. Section two hundred four point three hundred six (204.306), Code
 2 1975, is amended by adding the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. No person shall distribute complimentary
 4 packages of controlled substances, to a practitioner unless that person prepares
 5 and leaves with the practitioner a specific written list of the items so distributed.
 6 This list shall be prepared on a form prescribed by rules promulgated by the
 7 board, and the person who distributes the items listed shall send a copy of the list
 8 to the board as soon as practicable after distribution of the complimentary
 9 packages to the practitioner.

1 SEC. 4. Section two hundred four point five hundred five (204.505), subsection
 2 one (1), Code 1975, is amended by adding the following new paragraph:

3 NEW PARAGRAPH. All controlled substances in the possession of a practitioner
 4 which are material to a record-keeping violation.

Approved May 13, 1976

CHAPTER 1118

COSMETOLOGISTS AND BARBERS

S. F. 1141

AN ACT to establish and regulate the practice of barbering and the practice of cosmetology, and to provide penalties.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. NEW SECTION. **Definitions.** For the purpose of sections one (1)
 2 through fifteen (15) of this Act:

3 1. "Cosmetology" means practices performed with or without compensation by
 4 cosmetologists which include but are not limited to the practices listed in this
 5 subsection:

6 a. Arranging, dressing, curling, waving, shampooing, cutting, singeing,
 7 bleaching, coloring, or similar works, upon the hair of any person; or upon a wig
 8 or hairpiece when done in conjunction with haircutting or hairstyling by any
 9 means.

10 b. Massaging, cleansing, stimulating, exercising, beautifying, or similar
 11 techniques upon the scalp, face, neck, arms, hands, or upper part of the body of
 12 any person with the hands or mechanical or electrical apparatus or appliances or
 13 with the use of cosmetic preparations, antiseptics, tonics, lotions, creams, or other
 14 preparations.

15 c. Manicuring the nails of any person.

16 Cosmetologists shall not represent themselves to the public as being primarily
 17 in the practice of haircutting unless that function is, in fact their primary
 18 specialty.

19 2. "Cosmetologist" means a person who performs practices of cosmetology or
 20 otherwise by the person's occupation holds himself or herself out as having
 21 knowledge or skill peculiar to the practice of cosmetology.