

716A.3 Sale or offer for direct sale of prescription drugs — criminal penalties.

1. The retail sale or offer of direct retail sale of a prescription drug, as defined in section 155A.3, through the use of electronic mail or the internet by a person other than a licensed pharmacist, physician, dentist, optometrist, podiatric physician, or veterinarian is prohibited. A person who violates this subsection is guilty of a simple misdemeanor.

2. *a.* A person who knowingly sells an adulterated or misbranded drug through the use of electronic mail or the internet is guilty of a class “D” felony.

b. If the death of a person occurs as the result of consuming a drug, as defined in section 155A.3, sold in violation of this subsection, the violation is a class “B” felony.

2005 Acts, ch 123, §3; 2013 Acts, ch 90, §197

[T] Subsection 2 amended