

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](#)