

R.S. 24:18-7

July 29, 1966

LEGISLATIVE HISTORY OF R.S. 24:18-7
(Prescription of heroin)

- L. 1933, Chapter 186 - S229
Introduced February 27 by Mr. Young.
No statement on bill.
Committee Substitute bill passed in lieu of original.
- L. 1938, Chapter 156 - S56
Introduced January 31 by Mr. Taggart.
Committee Substitute bill passed in lieu of original.
Statement on bill.
(Copy of bill and statement enclosed)
- L. 1947, Chapter 124 - A453
Introduced March 18 by Mr. McCay.
Not amended during passage.
Statement on bill.
(Copy of bill and statement enclosed)
- L. 1952, Chapter 285 - A551
Introduced March 10 by Messrs. Tompkins and Kurtz.
Not amended during passage.
Statement on bill.
(Copy of bill and statement enclosed)
- L. 1953, Chapter 318 - A634
Introduced March 25 by Mr. Tompkins.
Not amended during passage.
No statement on bill.
- L. 1957, Chapter 134 - A385
Introduced March 18 by Assemblyman Kurtz.
Not amended during passage.
Statement on bill.
(Copy of bill and statement enclosed)

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I am enclosing a copy of New Jersey Legislative Commission to
Study Narcotics.
Report of study and recommendations. March 10, 1952

This Commission held several public hearings. Transcripts
of these hearings may be examined in the library.

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48 (13) "Pharmacist" means a registered pharmacist of this State.

49 (14) "Pharmacy owner" means the owner of a store or other place
50 of business where narcotic drugs are compounded or dispensed by a regis-
51 tered pharmacist; but nothing in this chapter contained shall be construed
52 as conferring on a person who is not registered or licensed as a pharmacist
53 any authority, right or privilege that is not granted to him by the phar-
54 macy laws of this State.

55 (15) "Physician" means any person authorized by law to practice
56 medicine in this State and any other person authorized by law to treat sick
57 and injured human beings in this State and to use narcotic drugs in con-
58 nection with such treatment.

58 1/4 (16) "Registry number" means the number assigned to each person reg-
58 1/2 istered under the Federal narcotic laws.

59 (17) "Sale" includes barter, exchange or offer therefor, and each such
60 transaction made by any person, whether as principal, proprietor, agent,
61 servant or employee.

62 (18) "Veterinarian" means any person authorized by law to practice
63 veterinary medicine in this State.

64 (19) "Wholesaler" means a person who supplies narcotic drugs that
65 he himself has not produced or prepared, on official written order, but not
66 on prescription.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this amendment is to include the word "Marihuana" in the definition of the word "Cannabis." Marihuana in the form of cigarettes commonly known as "reefers" is being sold all over New Jersey and in many instances falls into hands of minors and has a deleterious effect on health and mental faculties. By inclusion of word Marihuana convictions for the possession, sale or transportation of cigarettes commonly known as "reefers" will be more easily obtained.

18 other preparations that contain coca leaves in any quantity or combination.

19 Nothing in this section shall be construed to limit the kind and quantity
20 of any narcotic drug that may be prescribed, administered, compounded, dis-
21 dispensed, or sold, to any person or for the use of any person or animal, when
22 it is prescribed, administered, compounded, dispensed, or sold, in compliance
23 with the general provisions of this chapter.

1 2. This act shall take effect immediately.

STATEMENT

The object of this bill is to reinsert in R. S. 24:18-7 certain provisions which were omitted, evidently by inadvertence, when the section was amended by P. L. 1938, c. 156. The bill was drawn by the Law Revision and Bill Drafting Commission and has the approval of the Department of Health. Its sole purpose is to clarify the existing law.

18 preparations, except that this chapter shall apply to all liniments, ointments,
19 and other preparations that contain coca leaves in any quantity or combina-
20 tion.

21 Nothing in this section shall be construed to limit the kind and quantity
22 of any narcotic drug that may be prescribed, administered, compounded, dis-
23 pensed, or sold, to any person or for the use of any person or animal, when
24 it is prescribed, administered, compounded, dispensed, sold, in compliance
25 with the general provisions of this chapter.]

26 Administering, dispensing, or selling at retail of any medicinal prepara-
27 tion that contains in one fluid ounce, or if a solid or semi-solid preparation,
28 in one avoirdupois ounce, not more than one grain of codeine or one-sixth
29 grain of dihydrocodeinone or any of their salts.

30 The exemption authorized by this section shall be subject to the following
31 conditions: (1) that the medicinal preparation administered, dispensed, or
32 sold, shall contain, in addition to the narcotic drug in it, some drug or drugs
33 conferring upon it medicinal qualities other than those possessed by the nar-
34 cotic drug alone; and (2) that such preparation shall be administered, dis-
35 dispensed, and sold in good faith as a medicine, and not for the purpose of evad-
36 ing the provisions of this chapter.

37 Nothing in this section shall be construed to limit the quantity of code-
38 ine or any of its salts that may be prescribed, administered, or sold, to any
39 person or for the use of any person or animal, when it is prescribed, admin-
40 istered, dispensed, or sold, in compliance with the general provisions of this
41 chapter.

1 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to except from the Uniform Narcotic Drug Law certain medicinal preparations which contain narcotic drugs and which at present may be sold without prescription. This bill tightens up the restrictions with

respect to the amount of drugs which may be contained in such preparations and limits the type of drugs which may be contained therein. This bill is recommended by the legislative commission to study narcotics, appointed pursuant to Joint Resolution No. 8, 1951.

17A Nothing in this section shall be construed to limit the quantity of code-
18 ine or any of its salts, or of *dihydrocodeinone* or any of its salts, or of nos-
19 *capine* (formerly *narcotine*) or any of its salts, or of *papaverine* or any of
20 *its salts*, ethylmorphine hydrochloride, or compounds containing not more
21 than 1 fluid drachm of paregoric in each fluid ounce that may be prescribed,
22 administered, or sold, to any person or for the use of any person or animal,
23 when it is prescribed, administered, dispensed, or sold, in compliance with
24 the general provisions of this chapter, nor to limit or prohibit the sale of
25 Brown's Mixture or Stokes Expectorant in quantities of not more than 4
26 ounces.

1 2. This act shall take effect immediately.

STATEMENT

The Narcotic Control Commission recommends revision of 24:18-7 to en-
title a papaverine or noscapine (formerly narcotine) preparation, in quanti-
ties not exceeding 2 grains per avoirdupois or fluid ounce of the preparation,
to exempt status. The revision requires that other, nonnarcotic, medicinal in-
gredients must be present in therapeutic quantities; all sales must be for bona
fide medical purposes; the proper records must be kept; and the full require-
ments of the law and regulation relating to exempt narcotic preparations must
be observed.

It has been determined by the U. S. Food and Drug Administration that
"clinical experiments conducted at the Federal Hospital, Lexington, Kentucky,
showed noscapine to have no addiction liability, therefore, the label statement
'Warning: MAY be habit forming,' " is not indicated for noscapine. Further
research by the National Academy of Sciences, Division of Medical Sciences,
pointed up that "noscapine and papaverine are isoquinoline alkaloids, and are
recognized as having no addiction liability in themselves, nor are they known
to be convertible to addicting substances."

The Narcotic Control Commission concurs with the National Academy of
Sciences in the belief, "that uniformity between the several states' narcotic

laws and the Federal Narcotic Law WITH REFERENCE TO EXEMPT PREPARATIONS, containing the above-mentioned narcotics, would facilitate orderly national distribution, and with reference to noscapine would permit the use of this non-addicting cough suppressant in the place of addicting substances. We believe that uniformity of this type would be of particular benefit to the public, as well as to the professions and the trade."