

COPY

MANUFACTURING CHEMISTS' ASSOCIATION, INC.
216 Woodward Building
Washington 5, D. C.

March 2, 1951

Mr. Manfred Bowditch
Director of Health and Safety
Lead Industries Association
420 Lexington Avenue
New York 17, New York

Dear Mr. Bowditch:

The attached copy of Bill No. 362 was introduced in the House of New Mexico and you will note that it includes lead salts as well as almost any other chemical and warrants immediate action to prevent its adoption by the State.

Very truly yours,

s/Douglas E. Campbell
Douglas E. Campbell
Assistant to the Secretary

DEC/mm
Enclosure

C
O
P
YTwenty-fifth Legislature
State of New Mexico

Referred to Ways and Means Committee

HOUSE BILL No. 362

Introduced by Representative William J. Bingham, by request

AN ACT

PROHIBITING SALE AND PURCHASE OF POISONOUS DRUGS

Be it Enacted by the Legislature of the State of New Mexico:

Section 1.

Purchase of Poisonous Drugs. It shall be unlawful for any person except a duly authorized physician, pharmacist, registered nurse, dentist, or veterinarian to purchase within the State of New Mexico, without a permit, as hereinafter provided, any strychnine, arsenic, or arsenic salts or any other lethal poison, as defined by the United States Pharmacopoeia, in more than medicinal doses. Any person desiring to purchase any of said poisonous drugs without a physician's prescription shall first apply to the State Department of Public Health for a permit to purchase the same. The application for such permit shall be made in writing, and shall give the name and postoffice address of the applicant, together with a statement of the purpose for which said poisonous drug is to be used. Application for such permit shall be signed and sworn to by the applicant before a notary public or other officer authorized to administer oaths. Said application shall be signed by two freeholders residing in the State of New Mexico. It shall be unlawful for any person filing application for a permit to give a fictitious name or to make any false representation to the seller or dealer when purchasing said poisonous drugs. Upon the presentation of such application to the State Department of Public Health, said Department may, upon its own approval, issue a permit to the applicant.

Section 2.

Sale of Poisons. The following poisons are included with the provisions of this article: arsenic, cyanide of potassium, hydrocyanic acid, cocaine, morphine, strychnis and all other poisonous vegetable alkaloids and their salts, oil of bitter almonds, containing hydrocyanic acid, opium and its preparations, except paregoric and such others as contain less than two grains of opium to the ounce, aconite, belladonna, cantharides, colchicum, conium, cotton root, digitalis, ergot, hellebore, henbane, phytolacca, strophanthus, oil of tansy, veratrum viride and other poisonous pharmaceutical preparations, arsenical solutions, carbolic acid, chloral hydrate, chloroform, corrosive sublimate, creosote, croton oil, mineral acids, oxalic acid, Paris green, salts of lead, salts of zinc, white hellebore or any drug, chemical or preparation which, according to standard works on medicine or materia medica, is liable to be destructive to adult human life or animal life in quantities of sixty grains or less.

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Every person, firm or corporation who sells any poison shall place on each package and container of poison sold, a label containing the word "poison" printed in red ink in a conspicuous place thereon; and keep a well-bound book which shall at all times be open to the inspection of any officer charged with the enforcement of law, in which shall be recorded at the time of the sale the name and quantity of the poison purchased and the purpose for which the same is to be used, and the name and address of the purchaser, if known to the seller, and if unknown the sale shall not be made until the purchaser is identified by one known to the seller. The seller shall also record the name and address of the identifier.

Any person who shall for himself or as the agent or employee of another person, firm or corporation, sell, give away or deliver any of said poisons to another without having complied with any provision of this article shall be fined not less than Twenty-five (\$25.00) Dollars nor more than One Hundred (\$100.00) Dollars and be confined in jail for not less than twenty days nor more than six months.

Copied by
Manufacturing Chemists' Assn., Inc.
M. Woodruff