

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1937



ENROLLED

SENATE BILL No. 213

(By Mr. Wiseman.)



PASSED March 13th 1937

In Effect from **Passage**

213

ENROLLED
Senate Bill No. 213

(BY MR. WISEMAN)

[Passed March 13, 1937; in effect from passage.]

AN ACT to amend and reenact sections four and six, article four, and section four, article six, all of chapter four, acts of the Legislature of West Virginia, regular session, one thousand nine hundred thirty-five, as amended by chapter five, acts of the Legislature, regular session, one thousand nine hundred thirty-five, relating to the sale and transportation of alcholoc liquors.

Be it enacted by the Legislature of West Virginia:

That sections four and six, article four, and section four article six, all of chapter four, acts of the Legislature of West Virginia,

regular session, one thousand nine hundred thirty-five, as amended by chapter five, acts of the Legislature, regular session, one thousand nine hundred thirty-five, be amended and reenacted to read as follows:

ARTICLE IV.

Section 4. The commission may grant to wholesale druggists license to purchase alcoholic liquors at wholesale from or through the commission for the purpose of resale within the state. Such wholesale druggists shall have the right to purchase ethyl alcohol, for non-beverage purposes, at wholesale, and for resale to pharmacists, or druggists or drug stores employing a duly licensed pharmacist, having a regular place of business, or to other persons licensed to purchase ethyl alcohol from the commission, from distillers, manufacturers, jobbers or other wholesale druggists, whether within or without the state, and whether the seller has a permit or license from the commission to sell same, and ship and transport or cause same to be shipped and transported to their places of business, upon filing with the commission at the time of or prior to such purchase a copy of the purchase order for same, together with a statement in

17 writing showing approximately when, and in what manner
18 the ethyl alcohol so purchased will be shipped or trans-
19 ported to their places of business.

Sec. 6. The commission may issue licenses to retail
2 druggists to sell, upon prescription, and for the purposes
3 provided for in this chapter, alcoholic liquors purchased
4 from the commission. Any pharmacist, or retail druggist
5 or drug store employing a duly licensed pharmacist, having
6 a regular place of business, may, upon filing with the com-
7 mission, at the time of or prior to any purchase, a copy
8 of the purchase order together with a written statement
9 showing approximately when and in what manner any ethyl
10 alcohol purchased will be shipped or transported, purchase
11 from distillers, manufacturers, jobbers or wholesalers, whether
12 within or without the state, and whether the seller has a
13 permit or license to sell the same, ethyl alcohol for use in
14 compounding or manufacturing any of the medical or other
15 preparations mentioned in section four of article six of this
16 act, and ship and transport or cause same to be shipped
17 and transported to his place of business.

ARTICLE VI.

Section 4. The provisions of this chapter shall not prevent a person from manufacturing, selling, delivering or shipping:

Any medicine containing sufficient medication to prevent its use as a beverage;

Any medicinal preparation manufactured in accordance with formulas prescribed by the United States pharmacopeia, and national formulary, patent and proprietary preparations, and other bona fide medical and technical preparations, which are manufactured and sold to be used exclusively as medicine and not as beverages, and the sale of which does not now require the payment of a United States liquor dealer's tax;

Toilet, medicinal and antiseptic preparations not intended for internal human use nor for beverage purposes;

Any food products known as flavoring extracts manufactured and sold for cooking and culinary purposes only and not for beverage purposes;

Nor shall such provisions prevent pharmacists, retail druggists or drug stores employing a duly licensed pharma-

21 : cist, from purchasing or causing to be shipped to their place
22 of business ethyl alcohol for us in compounding or manu-
23 facturing any of the medical or other preparations enumer-
24 ated in this section, as provided in section six, article four
25 of this act.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.



Chairman Senate Committee



Chairman House Committee

Originated in the.....

Takes effect..... passage.



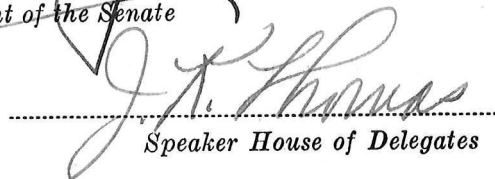
Clerk of the Senate



Clerk of the House of Delegates



President of the Senate



Speaker House of Delegates

The within..... this the.....

day of....., 1937.

.....
Governor

JARRETT PRINTING COMPANY, CHARLESTON, W. VA.



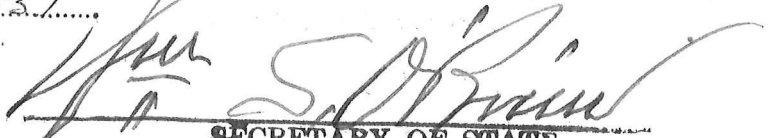
Filed in the office of the Secretary of State
of West Virginia. MAR 19 1937

Wm. S. O'BRIEN,
Secretary of State

I certify that the foregoing act, having been presented to the Governor for his approval, and not having been returned by him to the House of the Legislature in which it originated within the time prescribed by the constitution of the state, has become a law without his approval.

This the 19th day of March,

1937.....



SECRETARY OF STATE