WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

SENATE BILL NO. 48

(By Mr. Traubert)

PASSED MARCH 4, 1959

In Effect from Passage

Filed in Office of the Secretary of State of West Virginia MAR 10 1959
JOE F. BURDETT
SECRETARY OF STATE
AN ACT to amend and reenact section one, article eight-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to definitions of certain words and phrases dealing with narcotic drugs.

Be it enacted by the Legislature of West Virginia:

That section one, article eight-a, chapter sixteen of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 1. Definitions.—The following words and phrases, as used in this article, shall have the following meanings, unless the context otherwise requires:
(1) "Person" includes any corporation, association, co-partnership or one or more individuals.

(2) "Physician" means a person authorized by law to practice medicine in this state and any other person authorized by law to treat sick and injured human beings in the state and to use narcotic drugs in connection with such treatment.

(3) "Dentist" means a person authorized by law to practice dentistry in this state.

(4) "Veterinarian" means a person authorized by law to practice veterinary medicine in this state.

(5) "Manufacturer" means a person who, by compounding, mixing, cultivating, growing, or other process, produces or prepares narcotic drugs, but does not include a pharmacist who compounds narcotic drugs to be sold or dispensed on prescriptions.

(6) "Wholesaler" means a person who supplies narcotic drugs that he himself has not produced or prepared, on official written orders, but not prescriptions.

(7) "Pharmacist" means a licensed pharmacist as defined by the laws of this state.
(8) "Pharmacy owner" means the owner of a store or other place of business where narcotic drugs are compounded or dispensed by a registered pharmacist; but nothing in this article contained shall be construed as conferring on a person who is not registered or licensed as a pharmacist any authority, right or privilege that is not granted to him by the pharmacy laws of this state.

(9) "Hospital" means an institution for the care and treatment of the sick and injured, approved by the state board of pharmacy as proper to be entrusted with the custody of narcotic drugs and the professional use of narcotic drugs under the direction of a physician, dentist or veterinarian.

(10) "Laboratory" means a laboratory approved by the state board of pharmacy as proper to be entrusted with the custody of narcotic drugs and the use of narcotic drugs for scientific and medical purposes and for purposes of instruction.

(11) "Sale" includes barter, exchange, or offer therefore, and each such transaction made by any person,
whether as principal, proprietor, agent, servant or em-
ployee.

(12) “Coca leaves” includes cocaine and any compound,
manufacture, salt, derivative, mixture, or preparation of
coca leaves, except derivatives of coca leaves which do not
contain cocaine, ecgonine, or substances from which co-
caine or ecgonine may be synthesized or made.

(13) “Opium” includes morphine, codeine, and heroin,
and any compound, manufacture, salt, derivative, mixture
or preparation of opium.

(14) “Cannabis” includes all parts of the plant cannabis
sativa L., whether growing or not; the seeds thereof; the
resin extracted from any part of the plant; and every
compound, manufacture, salt, derivative, mixture, or prep-
paration of such plant, its seeds, or resin; but shall not in-
clude the mature stalks of such plant, fiber produced from
such stalks, oil or cake made from the seeds of such plant,
or any other compound, manufacture, salt, derivative,
mixture, or preparation of such mature stalks (except the
resin extracted therefrom), fiber, oil, or cake, of the ster-
ilized seed of such plant which is incapable of germina-
tion.

(15) "Narcotic drugs" means coca leaves, opium, isoni-
pecaine, cannabis, and every other substance neither
chemically nor physically distinguishable from them, and
any other drugs to which the federal laws relating to nar-
cotic drugs may now apply, and any drug hereafter found
by the state board of pharmacy to have an addiction-
forming or addiction-sustaining liability similar to mor-
phine or cocaine.

(16) "Federal narcotic laws" means the laws of the
United States relating to opium, coca leaves, cannabis, and
other narcotic drugs.

(17) "Official written order" means an order written
on a form provided for that purpose by the United States
commissioner of narcotics, under any laws of the United
States making provision therefor, if such order forms are
authorized and required by federal law, and if no such or-
der form is provided, then on an official form provided for
that purpose by the state board of pharmacy.
(18) "Dispense" includes distribute, leave with, give away, dispose of, or deliver.

(19) "Registry number" means the number assigned to each person registered under the federal narcotic laws.

(20) "Isonipecaine" means the substance identified chemically as 1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester, or any salt thereof, by whatever trade name identified.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman Senate Committee

[Signature]
Chairman House Committee

Originated in the Senate.

Takes effect __________________________ passage.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
Ralph J. Beaird
President of the Senate

[Signature]
K. V. Bailey
Speaker House of Delegates

The within ______ approved this the __________ day of ________, 1969.

[Signature]
Governor