



CHAPTER 90
ARTICLE 4A - NORTH CAROLINA PHARMACY PRACTICE ACT

N.C.G.S. § 90-85.40.

Violations.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2001-375, ss. 6, 7 — thirteenth act in the lineage	RETRIEVED 21 September 2026, 04:03 UTC	SOURCE FINGERPRINT a8fd7ba434ae9eff515617c5 - 743565f5101d9321edd19659 - 8bfde29e0963566f
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- § 90-85.40(a)

It shall be unlawful for any owner or manager of a pharmacy or other place to allow or cause anyone other than a pharmacist to dispense or compound any prescription drug unless that person is a pharmacy technician or a pharmacy student who is enrolled in a school of pharmacy approved by the Board and is working under the supervision of a pharmacist.
- § 90-85.40(b)

Every person lawfully authorized to compound or dispense prescription drugs shall comply with all the laws and regulations governing the labeling and packaging of such drugs by pharmacists.
- § 90-85.40(c)

It shall be unlawful for any person not licensed as a pharmacist to compound or dispense any prescription drug, unless that person is a pharmacy technician or a pharmacy student who is enrolled in a school of pharmacy approved by the Board and is working under the supervision of a pharmacist.
- § 90-85.40(d)

It shall be unlawful for any person to manage any place of business where devices are dispensed or sold at retail without a permit as required by this Article.
- § 90-85.40(d1)

It is unlawful for a person to own or manage a place of business from which medical equipment is delivered without a permit as required by this Article.
- § 90-85.40(e)

It shall be unlawful for any person without legal authorization to dispose of an article that has been embargoed under this Article.

§ 90-85.40(f) It shall be unlawful to violate any provision of this Article or of any rules or regulations enacted pursuant to it.

§ 90-85.40(g) This Article shall not be construed to prohibit any person from performing an act that person is authorized to perform pursuant to North Carolina law. Health care providers who are authorized to prescribe drugs without supervision are authorized to dispense drugs without supervision.

§ 90-85.40(h) A violation of this Article shall be a Class 1 misdemeanor.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
13 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 90-85.40 (2001).

PINPOINT

N.C. Gen. Stat. § 90-85.40(a) (2001).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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This is not the official text. The official text is published by the General Assembly of North Carolina.

HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1905, c. 108, ss. 4, 23, 24; Rev., ss. 3649, 3650, 4487; C.S., ss. 6667, 6668, 6669; 1921, c. 68, ss. 6, 7; Ex. Sess. 1924, c. 116; 1953, c. 1051; 1957, c. 617; 1959, c. 1222; 1981 (Reg. Sess., 1982), c. 1188, s. 1; 1993, c. 539, s. 621; 1994, Ex. Sess., c. 24, s. 14(c); 1993 (Reg. Sess., 1994), c. 692, s. 4; 2001-375, ss. 6, 7.)

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