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HOUSE BILL 502

45TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2001

INTRODUCED BY

John A. Heaton

AN ACT

RELATING TO THE IMPORTATION OF DRUGS; ENACTING A NEW SECTION OF THE NEW MEXICO DRUG, DEVICE AND COSMETIC ACT TO PROHIBIT DISCRIMINATION AGAINST REIMPORTED DRUGS THAT ARE IN COMPLIANCE WITH FEDERAL LAW; ALLOWING THE IMPORTATION OF CERTAIN DRUGS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the New Mexico Drug, Device and Cosmetic Act is enacted to read:

" [NEW MATERIAL] IMPORTED DRUGS--COMPLIANCE WITH FEDERAL LAW - CHAIN OF CUSTODY. --

A. Nothing in the New Mexico Drug, Device and Cosmetic Act or any rule adopted by the board shall be interpreted to require additional reporting for, or stricter inspection or stricter sampling or testing of, a reimported drug than would be required of the same drug if it were not

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1 imported.

2 B. As used in this section, "reimported drug"
3 means a "covered product", as that term is defined in the
4 federal Medicine Equity and Drug Safety Act of 2000, that is
5 in compliance with that act and the federal regulations
6 enacted pursuant thereto.

7 C. A "covered product", as that term is defined in
8 the federal Medicine Equity and Drug Safety Act of 2000, may
9 be imported into New Mexico if the chain of custody confirms
10 that the covered product has not been altered or tampered
11 with. The board shall, by rule, establish procedures to
12 ensure a proper chain of custody. "