

Manufacturer of a food or drug product is charged with notice of the quality of the article he has made. He cannot excuse himself for harmful results resulting from its use upon the ground that he did not know its dangerous qualities. Evidence that the product was manufactured and sold for use as a hair shampoo, contained an excessive amount of alkali so that its application to female plaintiff's scalp resulted in complete baldness, was sufficient to sustain a claim for damages. *Pietrus v Watkins*, 229 M 179, 38 NW(2d) 799.

151.25 REGISTRATION OF WHOLESALEERS; LICENSE; FEE; PROHIBITIONS

HISTORY. 1937 c 354 s 26; 1953 c 76 s 4.

Wholesalers having a branch office within the state are required to have a license for each branch wholesaling drugs and medicine. OAG Aug. 5, 1953 (337-B-2).

151.26 EXCEPTIONS

HISTORY. 1885 c 147 s 12; 1891 c 104 s 8; 1913 c 75 s 6; 1929 c 103 s 1; 1937 c 354 s 27; 1953 c 76 s 5.

Pure and concentrated vitamins or combinations of pure and concentrated vitamins, natural or synthetic, carried in an excipient, solid or liquid, and offered for sale as tablets, capsules, or in liquid form, are "drugs" within the meaning of the pharmacy law. Such preparations are not household preparations sold exclusively for non-medical purposes. They are not excepted from the operation of Minnesota Statutes, Chapter 151, as nonhabit-forming, harmless, proprietary medicines. *Culver v Nelson*, 237 M 65, 54 NW(2d) 7.

151.28 BOARD MAY TURN OVER FUNDS FOR ADVANCEMENT OF SCIENCE OF PHARMACY

HISTORY. 1913 c 575 s 11; 1937 c 354 s 29.

151.30 COUNTY ATTORNEY TO PROSECUTE

HISTORY. 1885 c 147 s 1, 12; 1891 c 104 s 1; 1913 c 575 s 10; 1915 c 62 s 1; 1925 c 339; 1929 c 103 s 1; 1937 c 354 s 31.

151.32 Unnecessary.

CHAPTER 152

PROHIBITED DRUGS

152.01 DEFINITIONS

Vitamin tablets and preparations are "drugs" within the meaning of the pharmacy law. Vitamins affect the structure and functions of the body in a manner not effected by food. Vitamins cannot be sold by grocery stores. *Culver v Nelson*, 237 M 65, 54 NW(2d) 7.

152.09 SALE OF CERTAIN DRUGS PROHIBITED

A licensed chiroprapist may use narcotics for a local anaesthetic but may not prescribe narcotics by prescription for use by a patient. OAG Dec. 21, 1951 (546-D).