AN ACT concerning drugs.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 5. The Wholesale Drug Distribution Licensing Act is amended by changing Sections 15, 25, and 55 as follows:

(225 ILCS 120/15) (from Ch. 111, par. 8301-15)

(Section scheduled to be repealed on January 1, 2013)

Sec. 15. Definitions. As used in this Act:

"Blood" means whole blood collected from a single donor and processed either for transfusion or further manufacturing.

"Blood component" means that part of blood separated by physical or mechanical means.

"Board" means the State Board of Pharmacy of the Department of Professional Regulation.

"Department" means the Department of Professional Regulation.

"Director" means the Director of Professional Regulation.

"Drug sample" means a unit of a prescription drug that is not intended to be sold and is intended to promote the sale of the drug.

"Manufacturer" means anyone who is engaged in the manufacturing, preparing, propagating, compounding, processing, packaging, repackaging, or labeling of a prescription drug.

"Pedigree papers" means that term as defined in the Illinois Food, Drug and Cosmetic Act.

"Person" means and includes a natural person, partnership, association or corporation.

"Pharmacy distributor" means any pharmacy licensed in this State or hospital pharmacy that is engaged in the

delivery or distribution of prescription drugs either to any other pharmacy licensed in this State or to any other person or entity including, but not limited to, a wholesale drug distributor engaged in the delivery or distribution of prescription drugs who is involved in the actual, constructive, or attempted transfer of a drug in this State to other than the ultimate consumer except as otherwise provided for by law.

"Prescription drug" means any human drug required by federal law or regulation to be dispensed only by a prescription, including finished dosage forms and active ingredients subject to subsection (b) of Section 503 of the Federal Food, Drug and Cosmetic Act.

"Wholesale distribution" or "wholesale distributions" means distribution of prescription drugs to persons other than a consumer or patient, but does not include any of the following:

(a) Intracompany sales, defined as any transaction or transfer between any division, subsidiary, parent, or affiliated or related company under the common ownership and control of a corporate entity.

(b) The purchase or other acquisition by a hospital or other health care entity that is a member of a group purchasing organization of a drug for its own use from the group purchasing organization or from other hospitals or health care entities that are members of a group organization.

(c) The sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug by a charitable organization described in subsection (c)(3) of Section 501 of the U.S. Internal Revenue Code of 1954 to a nonprofit affiliate of the organization to the extent otherwise permitted by law.

(d) The sale, purchase, or trade of a drug or an

offer to sell, purchase, or trade a drug among hospitals or other health care entities that are under common control. For purposes of this Act, "common control" means the power to direct or cause the direction of the management and policies of a person or an organization, whether by ownership of stock, voting rights, contract, or otherwise.

(e) The sale, purchase, or trade of a drug or an offer to sell, purchase, or trade a drug for emergency medical reasons. For purposes of this Act, "emergency medical reasons" include transfers of prescription drugs by a retail pharmacy to another retail pharmacy to alleviate a temporary shortage.

(f) The sale, purchase, or trade of a drug, an offer to sell, purchase, or trade a drug, or the dispensing of a drug pursuant to a prescription.

(g) The distribution of drug samples by manufacturers' representatives or distributors' representatives.

(h) The sale, purchase, or trade of blood and blood components intended for transfusion.

"Wholesale drug distributor" means any person or entity engaged in wholesale distribution of prescription drugs, including, but not limited to, manufacturers; repackers; own label distributors; jobbers; private label distributors; brokers; warehouses, including manufacturers' and distributors' warehouses, chain drug warehouses, and wholesale drug warehouses; independent wholesale drug traders; and retail pharmacies that conduct wholesale distributions, including, but not limited to, any pharmacy distributor as defined in this Section. A wholesale drug distributor shall not include any for hire carrier or person or entity hired solely to transport prescription drugs.

(Source: P.A. 87-594.)

(225 ILCS 120/25) (from Ch. 111, par. 8301-25)

(Section scheduled to be repealed on January 1, 2013)

Sec. 25. Wholesale drug distributor licensing requirements. All wholesale distributors and pharmacy distributors, wherever located, who engage in wholesale distribution into, out of, or within the State shall be subject to the following requirements:

(a) No person or distribution outlet shall act as a wholesale drug distributor without first obtaining a license to do so from the Department and paying any reasonable fee required by the Department.

(b) The Department may grant a temporary license when a wholesale drug distributor first applies for a license to operate within this State. A temporary license shall remain valid until the Department finds that the applicant meets or fails to meet the requirements for regular licensure. Nevertheless, no temporary license shall be valid for more than 90 days from the date of issuance. Any temporary license issued under this subsection shall be renewable for a similar period of time not to exceed 90 days under policies and procedures prescribed by the Department.

(c) No license shall be issued or renewed for a wholesale drug distributor to operate unless the wholesale drug distributor shall operate in a manner prescribed by law and according to the rules and regulations promulgated by the Department.

(d) The Department may require a separate license for each facility directly or indirectly owned or operated by the same business entity within this State, or for a parent entity with divisions, subsidiaries, and affiliate companies within this State when operations are conducted at more than one location and there exists joint ownership and control among all the entities.

(e) As a condition for receiving and renewing any

wholesale drug distributor license issued under this Act, each applicant shall satisfy the Department that it has and will continuously maintain:

(1) acceptable storage and handling conditions plus facilities standards;

(2) minimum liability and other insurance as may be required under any applicable federal or State law;

(3) a security system that includes after hours, central alarm or comparable entry detection capability; restricted premises access; adequate outside perimeter lighting; comprehensive employment applicant screening; and safeguards against employee theft;

(4) an electronic, manual, or any other reasonable system of records, describing all wholesale distributor activities governed by this Act for the 2 year period following disposition of each product and reasonably accessible during regular business hours as defined by the Department's rules in any inspection authorized by the Department;

(5) officers, directors, managers, and other persons in charge of wholesale drug distribution, storage, and handling who must at all times demonstrate and maintain their capability of conducting business according to sound financial practices as well as State and federal law;

(6) complete, updated information, to be provided the Department as a condition for obtaining and renewing a license, about each wholesale distributor to be licensed under this Act, including all pertinent licensee ownership and other key personnel and facilities information deemed necessary for enforcement of this Act. Any changes in this information shall be submitted at the time of license renewal or within 45 days from the date of the change;

(7) written policies and procedures that assure reasonable wholesale distributor preparation for, protection against and handling of any facility security or operation problems, including, but not limited to, those caused by natural disaster or government emergency; inventory inaccuracies or product shipping and receiving; outdated product or other unauthorized product control; appropriate disposition of returned goods; and product recalls;

(8) sufficient inspection procedures for all incoming and outgoing product shipments; ~~and~~

(8.5) pedigree papers as provided for in the Illinois Food, Drug and Cosmetic Act; and

(9) operations in compliance with all federal legal requirements applicable to wholesale drug distribution.

(f) The Department shall consider, at a minimum, the following factors in reviewing the qualifications of persons who engage in wholesale distribution of prescription drugs in this State:

(1) any conviction of the applicant under any federal, State, or local laws relating to drug samples, wholesale or retail drug distribution, or distribution of controlled substances;

(2) any felony convictions of the applicant under federal, State, or local laws;

(3) the applicant's past experience in the manufacture or distribution of prescription drugs, including controlled substances;

(4) the furnishing by the applicant of false or fraudulent material in any application made in connection with drug manufacturing or distribution;

(5) suspension or revocation by federal, State, or local government of any license currently or previously held by the applicant for the manufacture or distribution

of any drug, including controlled substances;

(6) compliance with licensing requirements under previously granted licenses, if any;

(7) compliance with requirements to maintain and make available to the Department or to federal, State, or local law enforcement officials those records required by this Act; and

(8) any other factors or qualifications the Department considers relevant to and consistent with the public health and safety, including whether the granting of the license would not be in the public interest.

(9) All requirements set forth in this subsection shall conform to wholesale drug distributor licensing guidelines formally adopted by the U.S. Food and Drug Administration (FDA). In case of conflict between any wholesale drug distributor licensing requirement imposed by the Department and any FDA wholesale drug distributor licensing guideline, the FDA guideline shall control.

(g) An agent or employee of any licensed wholesale drug distributor need not seek licensure under this Section and may lawfully possess pharmaceutical drugs when the agent or employee is acting in the usual course of business or employment.

(h) The issuance of a license under this Act shall not change or affect tax liability imposed by the State on any wholesale drug distributor.

(i) A license issued under this Act shall not be sold, transferred, or assigned in any manner.

(Source: P.A. 92-586, eff. 6-26-02.)

(225 ILCS 120/55) (from Ch. 111, par. 8301-55)

(Section scheduled to be repealed on January 1, 2013)

Sec. 55. Discipline; grounds.

(a) The Department may refuse to issue, restore, or

renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary action as the Department may deem proper for any of the following reasons:

(1) Violation of this Act or its rules.

(2) Aiding or assisting another person in violating any provision of this Act or its rules.

(3) Failing, within 60 days, to respond to a written requirement made by the Department for information.

(4) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public. This includes violations of "good faith" as defined by the Illinois Controlled Substances Act and applies to all prescription drugs.

(5) Discipline by another U.S. jurisdiction or foreign nation, if at least one of the grounds for the discipline is the same or substantially equivalent to those set forth in this Act.

(6) Selling or engaging in the sale of drug samples provided at no cost by drug manufacturers.

(7) Conviction of the applicant or licensee, or any officer, director, manager or shareholder who owns more than 5% of stock, in State or federal court of any crime that is a felony.

(8) Habitual or excessive use or addiction to alcohol, narcotics, stimulants, or any other chemical agent or drug that results in the inability to function with reasonable judgment, skill, or safety.

(9) Violation of the Illinois Food, Drug and Cosmetic Act.

(b) The Department may refuse to issue, restore, or renew, or may revoke, suspend, place on probation, reprimand or take other disciplinary action as the Department may deem property including fines not to exceed $1,500 ~~$1000~~ for any

of the following reasons:

(1) Material misstatement in furnishing information to the Department.

(2) Making any misrepresentation for the purpose of obtaining a license.

(3) A finding by the Department that the licensee, after having his or her license placed on probationary status, has violated the terms of probation.

(4) A finding that licensure or registration has been applied for or obtained by fraudulent means.

(5) Willfully making or filing false records or reports.

(6) A finding of a substantial discrepancy in a Department audit of a prescription drug, including a controlled substance as that term is defined in this Act or in the Illinois Controlled Substances Act.

(c) The Department may refuse to issue or may suspend the license or registration of any person who fails to file a return, or to pay the tax, penalty or interest shown in a filed return, or to pay any final assessment of tax, penalty or interest, as required by any tax Act administered by the Illinois Department of Revenue, until the time the requirements of the tax Act are satisfied.

(d) The Department shall revoke the license or certificate of registration issued under this Act or any prior Act of this State of any person who has been convicted a second time of committing any felony under the Illinois Controlled Substances Act or who has been convicted a second time of committing a Class 1 felony under Sections 8A-3 and 8A-6 of the Illinois Public Aid Code. A person whose license or certificate of registration issued under this Act or any prior Act of this State is revoked under this subsection (c) shall be prohibited from engaging in the practice of pharmacy in this State.

(Source: P.A. 87-594.)

Section 10. The Illinois Food, Drug and Cosmetic Act is amended by changing Sections 2, 3, 3.7, 5, and 14 and adding Sections 2.40, 2.41, 2.42, 2.43, 2.44, 3.21a, 3.21b, 3.21c, 3.21d, 3.23, 3.24, 3.25, 3.26, and 14.5 as follows:

(410 ILCS 620/2) (from Ch. 56 1/2, par. 502)

Sec. 2. In this Act unless the context otherwise requires, the words and phrases defined in the Sections following this Section and preceding Section 3 have the meanings ascribed to them in those Sections ~~2.1 through 2.37, have the meanings set forth therein~~.

(Source: P.A. 84-891.)

(410 ILCS 620/2.40 new)

Sec. 2.40. Authenticate. "Authenticate" means to affirmatively verify before any distribution of a legend drug occurs that each transaction listed on the pedigree paper has occurred.

(410 ILCS 620/2.41 new)

Sec. 2.41. Contraband legend drug. "Contraband legend drug" means (i) any adulterated drug, as defined in Section 14, (ii) any counterfeit drug, and (iii) any legend drug for which a pedigree paper does not exist, for which the pedigree paper in existence has been forged, counterfeited, falsely created, or that contains any altered, false, or misrepresented matter.

(410 ILCS 620/2.42 new)

Sec. 2.42. Legend drug label. "Legend drug label" means any display of written, printed, or graphic matter upon the immediate container of any legend drug prior to its

dispensing to an individual patient pursuant to a prescription of a practitioner authorized by law to prescribe.

(410 ILCS 620/2.43 new)

Sec. 2.43. Pedigree paper. "Pedigree paper" means a document in a form approved by the Department of Public Health and containing information that records each distribution of any given legend drug, from sale by a pharmaceutical manufacturer, through acquisition and sale by any wholesaler, until final sale to a pharmacy or other person administering or dispensing the drug.

(410 ILCS 620/2.44 new)

Sec. 2.44. Prescription label. "Prescription label" means any display of written, printed, or graphic matter upon the immediate container of any legend drug dispensed pursuant to a prescription of a practitioner authorized by law to prescribe.

(410 ILCS 620/3) (from Ch. 56 1/2, par. 503)

Sec. 3. The enumerated acts in Sections 3.1 through 3.21d ~~3.21~~ and the causing thereof are prohibited in this State.

(Source: P.A. 84-891.)

(410 ILCS 620/3.7) (from Ch. 56 1/2, par. 503.7)

Sec. 3.7. The purchase or sale of prescription drugs for wholesale distribution except in accordance with the Wholesale Drug Distribution Licensing Act. ~~The giving of a guaranty or undertaking which is false, except by a person who relied on a guaranty or undertaking to the same effect signed by and containing the name and address of the person residing in the State of Illinois from whom he received in~~

~~good-faith-the-food,-drug,-device-or-cosmetic.~~

(Source: Laws 1967, p. 959.)

(410 ILCS 620/3.21a new)

Sec. 3.21a. Removing a pharmacy's dispensing label from a dispensed prescription drug with the intent to further distribute the prescription drug.

(410 ILCS 620/3.21b new)

Sec. 3.21b. Distributing a prescription drug that was previously dispensed by a licensed pharmacy, unless such distribution was authorized by the Pharmacy Practice Act of 1987.

(410 ILCS 620/3.21c new)

Sec. 3.21c. Failure to obtain or pass on a pedigree paper.

(410 ILCS 620/3.21d new)

Sec. 3.21d. The receipt of a prescription drug pursuant to a wholesale distribution without first receiving a pedigree paper that was attested to as accurate and complete by the wholesale distributor.

(410 ILCS 620/3.23 new)

Sec. 3.23. Criminal acts involving contraband or adulterated drugs.

(a) A person, other than a manufacturer, engaged in the wholesale distribution of legend drugs who fails to deliver to another person complete and accurate pedigree papers concerning a legend drug or contraband legend drug prior to transferring the legend drug or contraband legend drug to another person commits a Class 3 felony.

(b) A person engaged in the wholesale distribution of

legend drugs who fails to acquire complete and accurate pedigree papers concerning a legend drug or contraband legend drug prior to obtaining the legend drug or contraband legend drug from another person commits a Class 3 felony.

(c) A person who knowingly destroys, alters, conceals, or fails to maintain complete and accurate pedigree papers concerning any legend drug or contraband legend drug in his or her possession commits a Class 3 felony.

(d) A person engaged in the wholesale distribution of legend drugs who is in possession of pedigree papers concerning legend drugs or contraband legend drugs and who fails to authenticate the matters contained in the pedigree papers and who nevertheless attempts to further distribute legend drugs or contraband legend drug commits a Class 3 felony.

(e) A person in possession of pedigree papers concerning legend drugs or contraband legend drugs who falsely swears or certifies that he or she has authenticated the matters contained in the pedigree papers commits a Class 3 felony.

(f) A person who knowingly forges, counterfeits, or falsely creates any pedigree paper; who falsely represents any factual matter contained on any pedigree paper; or who knowingly omits to record material information required to be recorded in a pedigree paper, commits a Class 1 felony.

(g) A person who knowingly purchases or receives from a person not authorized to distribute legend drugs under this Act a legend drug in a wholesale distribution transaction commits a Class 1 felony.

(h) A person who knowingly sells or transfers to a person not authorized to purchase or possess legend drug, under the law of the jurisdiction in which the person receives the drug, a legend drug in a wholesale distribution transaction commits a Class 1 felony.

(i) A person who is knowingly in actual or constructive

possession of any amount of contraband legend drugs, who knowingly sells or delivers, or who possesses with intent to sell or deliver any amount of contraband legend drugs, commits a Class 1 felony.

(j) A person who knowingly forges, counterfeits, or falsely creates any prescription label or legend drug label, or who falsely represents any factual matter contained on any prescription label or legend drug label, commits a Class X felony.

(410 ILCS 620/3.24 new)

Sec. 3.24. Trafficking in contraband legend drugs.

(a) A person who knowingly sells, purchases, manufactures, delivers, or brings into this State, or who is knowingly in actual or constructive possession of any amount of contraband legend drugs valued at $25,000 or more commits a Class X felony. Upon conviction, each defendant shall be ordered to pay a mandatory fine according to the following schedule:

(1) If the value of contraband legend drugs involved is $25,000 or more, but less than $100,000, the defendant shall pay a mandatory fine of $25,000. If the defendant is a corporation or other person that is not a natural person, it shall pay a mandatory fine of $75,000.

(2) If the value of contraband legend drugs involved is $100,000 or more, but less than $250,000, the defendant shall pay a mandatory fine of $100,000. If the defendant is a corporation or other person that is not a natural person, it shall pay a mandatory fine of $300,000.

(3) If the value of contraband legend drugs involved is $250,000 or more, the defendant shall pay a mandatory fine of $200,000. If the defendant is a corporation or other person that is not a natural person,

it shall pay a mandatory fine of $600,000.

(b) As used in this Section, "value" means the market value of the property at the time and place of the offense or, if the market value cannot be satisfactorily ascertained, the cost of replacement of the property within a reasonable time after the offense.

(c) Amounts of value of separate contraband legend drugs involved in distinct transactions for the distribution of the contraband legend drugs committed pursuant to one scheme or course of conduct, whether involving the same person or several persons, may be aggregated in determining the punishment of the offense.

(410 ILCS 620/3.25 new)

Sec. 3.25. Sale or purchase of contraband legend drugs resulting in great bodily harm. A person who knowingly sells, purchases, manufactures, delivers, or brings into this State, or who is knowingly in actual or constructive possession of any amount of contraband legend drugs, and whose acts in violation of this Section result in great bodily harm to a person, commits a Class X felony.

(410 ILCS 620/3.26 new)

Sec. 3.26. Sale or purchase of contraband legend drugs resulting in death. A person who knowingly manufactures, sells, purchases, delivers, or brings into this State, or who is knowingly in actual or constructive possession of any amount of contraband legend drugs, and whose acts in violation of this Section result in the death of a person, commits a Class X felony.

(410 ILCS 620/5) (from Ch. 56 1/2, par. 505)

Sec. 5. (a) A person who violates any of the provisions of this Act, other than Sections 3.22, 3.23, 3.24, 3.25,

3.26, and 6, is guilty of a Class C misdemeanor; but if the violation is committed after a conviction of such person under this Section has become final, the person shall be guilty of a Class A misdemeanor. A person who violates the provisions of Section 6 of this Act is guilty of a Class A misdemeanor; but if the violation is committed after a conviction of such person under this Section has become final, the person shall be guilty of a Class 4 felony.

(b) No person is subject to the penalties of subsection (a) of this Section for (1) violating Section 3.1 or 3.3 if he establishes a guaranty or undertaking signed by and containing the name and address of the person residing in the State of Illinois from whom he received the article in good faith, to the effect that the article is not adulterated or misbranded within the meaning of this Act, designating this Act; or (2) for having violated clause (2) of Section 3.16 if such person acted in good faith and had no reason to believe that the use of the punch, die, plate, stone or other thing involved would result in a drug being a counterfeit drug, or for having violated clause (3) of Section 3.16 if the person doing the act or causing it to be done acted in good faith and had no reason to believe that the drug was a counterfeit drug.

(c) No publisher, radio-broadcast licensee, agency or medium for the dissemination of an advertisement, except the manufacturer, packer, distributor or seller of the article to which a false advertisement relates is liable under this Section for the dissemination of such false advertisement unless he has refused on the request of the Director to furnish the Director the name and post office address of the manufacturer, packer, distributor, seller or advertising agency residing in the State of Illinois who causes him to disseminate such advertisement.

(d) No person shall be subject to the penalties of

subsection (a) of this Section for a violation of Section 3 involving misbranded food if the violation exists solely because the food is misbranded under subsection (c) of Section 11 because of its advertising, and no person shall be subject to the penalties of subsection (a) of this Section for such a violation unless the violation is committed with the intent to defraud or mislead.

(Source: P.A. 86-704; 87-754.)

(410 ILCS 620/14) (from Ch. 56 1/2, par. 514)

Sec. 14. A drug or device is adulterated: (a) (1) If it consists in whole or in part of any filthy, putrid or decomposed substance; or (2) (A) if it has been produced, prepared, packed or held under unsanitary conditions whereby it may have been contaminated with filth or whereby it may have been rendered injurious to health; or (B) if it is a drug and the methods used in, or the facilities or controls used for, its manufacture, processing, packing or holding do not conform to or are not operated or administered in conformity with current good manufacturing practice to assure that such drug meets the requirements of the Act as to safety and has the identity and strength and meets the quality and purity characteristics which it purports or is represented to possess; or (3) if it is a drug and its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health; or (4) if (A) it is a drug and it bears or contains, for purposes of coloring only, a color additive which is unsafe within the meaning of Section 706 of the Federal Act or (B) it is a color additive, the intended use of which in or on drugs or devices is for purposes of coloring only and is unsafe within the meaning of Section 706 of the Federal Act; or (5) if it is a new animal drug which is unsafe within the meaning of Section 512 of the Federal

Act; or (6) if it is an animal feed bearing or containing a new animal drug, and such animal feed is unsafe within the meaning of Section 512 of the Federal Act.

(b) If it purports to be or is represented as a drug the name of which is recognized in an official compendium, and its strength differs from or its quality or purity falls below the standard set forth in such compendium. Such determination as to strength, quality or purity shall be made in accordance with the tests or methods of assay set forth in such compendium or in the absence of or inadequacy of such tests or methods of assay, those prescribed under authority of the Federal Act. No drug defined in an official compendium is adulterated under this subsection because it differs from the standard of strength, quality or purity therefor set forth in such compendium, if its difference in strength, quality or purity from such standard is plainly stated on its label. When a drug is recognized in both the United States Pharmacopoeia - National Formulary and the Homeopathic Pharmacopoeia of the United States it shall be subject to the requirements of the United States Pharmacopoeia - National Formulary unless it is labeled and offered for sale as a homeopathic drug, in which case it shall be subject to the provisions of the Homeopathic Pharmacopoeia of the United States and not to those of the United States Pharmacopoeia - National Formulary.

(c) If it is not subject to the provisions of subsection (b) of this Section and its strength differs from or its purity or quality falls below that which it purports or is represented to possess.

(d) If it is a drug and any substance has been (1) mixed or packed therewith so as to reduce its quality or strength; or (2) substituted wholly or in part therefor.

(e) If it is, or purports to be or is represented as, a device which is subject to a performance standard established

under Section 514 of the Federal Act, unless such device is in all respects in conformity with such standard.

(f) If it is a device and the methods used in, or the facilities or controls used for, its manufacture, packing, storage, or installations are not in conformity with applicable requirements under Section 520(b)(1) of the Federal Act or an applicable condition as prescribed by an order under Section 520(b)(2) of the Federal Act.

(g) If it is a device for which an exemption has been granted under Section 520(g) of the Federal Act for investigational use and the person who was granted such exemption fails to comply with a requirement prescribed by or under such Section.

(h) If it is a legend drug for which the required pedigree paper is nonexistent, fraudulent, or incomplete under the requirements of this Act or the applicable rules, or that has been purchased, held, sold, or distributed at any time by a person not authorized under federal or state law to do so.

(Source: P.A. 84-891.)

(410 ILCS 620/14.5 new)

Sec. 14.5. Pedigree papers; requirements. A legend drug's pedigree paper must at least contain the following information: (i) the amount of the legend drug, (ii) its dosage form and strength, (iii) its lot numbers, (iv) the name and address of each owner of the legend drug and his or her signature, (v) its shipping information, including the name and address of each person certifying delivery or receipt of the legend drug, (vi) a certification that the recipient has authenticated the pedigree papers, and (vii) the name, address, telephone number, and, if available, e-mail contact information of each wholesaler involved in the chain of the legend drug's custody.

Section 99. Effective date. This Act takes effect on January 1, 2006.