

**NEW JERSEY REGISTER
VOLUME 37, NUMBER 9
MONDAY, MAY 2, 2005
RULE ADOPTION
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF PHARMACY
NOTICE OF ADMINISTRATIVE CORRECTION
RETAIL FACILITY REQUIREMENTS
LABELING**

N.J.A.C. 13:39-7.12

Take notice that the Board of Pharmacy has discovered a typographic error in the text of N.J.A.C. 13:39-7.12. Effective January 18, 2005, N.J.A.C. 13:39-5.9, Labeling, was amended and recodified as N.J.A.C. 13:39-7.12. See 36 N.J.R. 3345(a) and 37 N.J.R. 295(a). Prior to that effective date, amendments to N.J.A.C. 13:39-5.9 were proposed and adopted, effective October 4, 2004, operative April 2, 2005. See 36 N.J.R. 11(a) and 4480(a). Among the adopted amendments was the recodification of N.J.A.C. 13:39-5.9(a) 4 as (a)3, and the merger of that paragraph ("The brand name or generic name") with its succeeding subparagraph (a)4i ("If generic, the name of the manufacturer") so that paragraph (a)3 reads, "The brand name or generic name and if generic, the name of the manufacturer." However, a typographic error occurred in the publication of the notice of proposal by which the conjunction "or" in the text of paragraph (a)4 (see PRN 2004-1) was printed as "of." This error persisted in the published notice of adoption and was incorporated into the Code at N.J.A.C. 13:39-7.12(a)3 through the 4-4-05 Code update. As evidenced by the lack of proposed change symbolism in the paragraph's published text in the notice of proposal, the Board intended no such change. Through this notice, published pursuant to N.J.A.C. 1:30-2.7, this typographic error is corrected.

Full text of the corrected rule follows :

<< NJ ADC 13:39-7.12 >>

13:39-7.12 Labeling

(a) The dispensed container for any product shall bear a permanently affixed label with at least the following information:

1.-2. (No change.)

3. The brand name <<-of->> <<+or+>> generic name and if generic, the name of the manufacturer;

4.-13. (No change.)

(b)-(d) (No change.)