

105 CMR: DEPARTMENT OF PUBLIC HEALTH

105 CMR 731.000: THE SALE OF SURPLUS BIOLOGIC PRODUCTS

- (A) As only "excess" products may be sold under statute, the decision as to what products shall be considered "excess" stock shall be made in all instances by the Department.
- (B) Charges for such products shall be determined from time to time by the Department after a study by the fiscal office and the Institute of Laboratories.
- (C) No one connected with the Institute of Laboratories shall be permitted to sell, exchange, or barter any biologic products belonging to the Commonwealth, except in accordance with the rules and regulations herein provided and the approval of the Superintendent of the Institute of Laboratories.
- (D) Sales of products are to be made only when these products are to be used outside the Commonwealth of Massachusetts, and under no circumstances shall any charge be made for products intended for use within the Commonwealth.
- (E) In the case of products sold no credit or rebate shall be issued for any products not used before the expiration date stamped on the label or for empty containers returned.

REGULATORY AUTHORITY

105 CMR 731.000: M.G.L. c. 111, § 5.

NON-TEXT PAGE