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**PAM BONDI
ATTORNEY GENERAL
STATE OF FLORIDA**

M E M O R A N D U M

TO: Mark Whitten, Executive Director
Board of Pharmacy

FROM: Angela Southwell, Paralegal Specialist

RE: Notice of Change
Rule 64B16-28.108, F.A.C.

DATE: February 26, 2013

The above-referenced Notice was submitted to the Bureau of Administrative Code on February 21, 2013, for publication in the Florida Administrative Register on February 22, 2013. Enclosed is a copy for your records.

If you have any questions or concerns, please feel free to contact me.

Enclosure

cc: DOH General Counsel

Board of
FEB 2 8 REC'D
Pharmacy

DEPARTMENT OF HEALTH
BOARD OF PHARMACY

RULE TITLE: RULE NUMBER:
All Permits – Labels and Labeling of Medicinal Drugs   64B16-28.108

NOTICE OF CHANGE

Notice is hereby given that the following change has been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1, F.S., published in Vol. 38, No. 46, of the October 9, 2012, issue of the Florida Administrative Register. The change is in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:

1. Subsection (2)(h) shall read as follows:

   (h) An Expiration Date or a Beyond-Use Date: The expiration date must be the date provided by the manufacturer, repackager, or other distributor. The beyond-use date must not exceed the expiration date and it shall not be a date greater than one year from the date the medicinal drug is filled. The board finds that the use of a "discard-after-date" or "do not use after date" to be the equivalent of a beyond-use date.

2. Subsection (3)(e) shall now read as follows:

   (e) Expiration date

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Mark Whitten, Executive Director, Board of Pharmacy, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254.