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# 21 U.S. Code § 384

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## Importation of prescription drugs

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### **(a) Definitions**

In this section:

#### **(1) Importer**

The term “importer” means a pharmacist or wholesaler.

#### **(2) Pharmacist**

The term “pharmacist” means a person licensed by a State to practice pharmacy, including the dispensing and selling of prescription drugs.

#### **(3) Prescription drug**

The term “prescription drug” means a drug subject to section 353(b) of this title, other than—

(A) a controlled substance (as defined in section 802 of this title);

(B) a biological product (as defined in section 262 of title 42);

(C) an infused drug (including a peritoneal dialysis solution);

(D) an intravenously injected drug;

(E) a drug that is inhaled during surgery; or

(F) a drug which is a parenteral drug, the importation of which pursuant to subsection (b) is determined by the Secretary to pose a threat to the public health, in which case section 381(d)(1) of this title shall continue to apply.

#### **(4) Qualifying laboratory**

The term “qualifying laboratory” means a laboratory in the United States that has been approved by the Secretary for the purposes of this section.

#### **(5) Wholesaler**

##### **(A) In general**

The term “wholesaler” means a person licensed as a wholesaler or distributor of prescription drugs in the United States under section 353(e)(2)(A) of this title.

##### **(B) Exclusion**

The term “wholesaler” does not include a person authorized to import drugs under section 381(d)(1) of this title.

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