

**PUBLIC HEALTH CODE (EXCERPT)**  
**Act 368 of 1978**

**333.7208 Authority to control; exclusions.**

Sec. 7208. (1) Authority to control under this article does not extend to distilled spirits, wine, malt beverages, or tobacco.

(2) Except as provided in section 7220(1)(c), the administrator shall exclude a nonnarcotic substance from a schedule if the substance, under the federal food, drug, and cosmetic act of 1938, 21 U.S.C. 301 to 392, and the laws of this state, may be lawfully sold over the counter without a prescription.

**History:** 1978, Act 368, Eff. Sept. 30, 1978;—Am. 1999, Act 144, Eff. Jan. 21, 2000.

**Popular name:** Act 368