

terms of weight, measure or numerical count; provided, however, that reasonable variations shall be permitted and tolerances and also exemptions as to small packages shall be established by rules and regulations made in accordance with the provisions of Section 173.

*Fourth.* If the package fail to bear a statement on the label of the quantity or proportion of any alcohol, opium, morphine, diacetyl morphine, heroin, cocaine, holocaine, alpha or beta eucaine, novocaine, alypin, chloroform, cannabis indica, chloral hydrate, codeine, acetanilid, antifebrin, acetphenetidin, phenacetine, antipyrin, or any derivative or preparation of any of such substances contained therein; provided, that nothing in this paragraph shall be construed to apply to the dispensing of prescriptions of regularly licensed physicians, veterinarians and dentists, intended for immediate or temporary use, and kept on file by the dispensing pharmacists; and provided further, that nothing in this paragraph shall be construed to apply to such drugs or medicines as are personally dispensed by regularly licensed practicing physicians, dentists and veterinarians in the course of their practice. Physicians conducting drug stores shall be subject to all the laws, rules and regulations governing pharmacists.

In case of foods:

*First.* If it be an imitation of or offered for sale under the distinctive name of another article.

*Second.* If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so, or if the contents of the package as originally put up shall have been removed in whole or in part and other contents shall have been placed in such package, or if it fail to bear a statement on the label of the quantity or proportion of any opium, morphine, diacetyl morphine, heroin, cocaine, holocaine, alpha or beta eucaine, novocaine, alypin, chloroform, cannabis indica, chloral hydrate, acetanilid, antifebrin, acetphenetidin, phenacetine, antipyrin or any derivative or preparation of any such substance contained therein.

*Third.* If in package form and the contents are stated in terms of weight or measure and they are not plainly and correctly stated on the outside of the package.

*Fourth.* If the package containing it, or its label, shall bear any statement, design or device regarding the ingredients or the substances contained therein which statement, design or device shall be false or misleading in any particular; provided, that an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or misbranded in the following cases:

*First.* In the case of mixtures or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive names and not an imitation of or offered for sale under the distinctive name of another article if the name be accompanied on the