

200, and any person or persons, firm or corporation who or which shall manufacture for sale, produce for sale, expose for sale or sell any article of food, water, drug or disinfectant which is adulterated, misbranded or insufficiently labeled within the meaning of sections 189 to 200, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not to exceed five hundred dollars, or shall be sentenced to no more than one year's imprisonment, or both such fine and imprisonment, in the discretion of the court; provided, that no article shall be deemed misbranded or adulterated within the provisions of sections 189 to 200 when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser, when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is intended to be shipped; but if said article shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not exempt said article from the operation of any of the provisions of sections 189 to 200.

See art. 27, sec. 284, *et seq.* As to "feeding stuffs," see art. 48, sec. 95, *et seq.*

An. Code, sec. 167. 1910, ch. 156, sec. 140B (p. 147).

190. For the purpose of sections 189 to 200 the term "drug" shall include all medicines and preparations recognized in the United States Pharmacopœia or national formulary for internal or external use, and any substance or mixture of substances intended to be used for the cure, mitigation or prevention of disease of either man or animal. The term "food" as used herein shall include all articles used for food, drink, confectionery or condiment by man or animals, whether simple, mixed or compound.

An. Code, sec. 168. 1910, ch. 156, sec. 140C (p. 147).

191. For the purpose of sections 189 to 200 an article shall be deemed adulterated in case of drugs:

First. If when a drug is sold under or by a name recognized in the United States Pharmacopœia or national formulary, it differs from the standard of strength, quality or purity as determined by the test or tests laid down in the United States Pharmacopœia or national formulary; provided, that no drug defined in the United States Pharmacopœia or national formulary, except preparations of opium, shall be deemed to be adulterated under this provision if the standard of strength, quality or purity be plainly stated upon the bottle, box or other container thereof, although the standard may differ from that determined by the test or tests laid down in the United States Pharmacopœia or national formulary.

Second. If its strength or purity fall below the professed standard or quality under which it is sold.

Third. If used in the compounding of a medicine or medicines intended for the cure, mitigation or prevention of disease in man or animal, it shall not be of the standard of strength, quality or purity as determined by the test or tests laid down in the United States Pharmacopœia or national formulary; provided, that manufacturing chemists in compounding medicines may use, when necessary, drugs other than of standard strength if