

Third. If it be labeled or branded so as to deceive or mislead the purchaser, or purports to be a foreign product when not so.

Third A. If its package or label shall bear or contain any statement, design or device regarding the curative or therapeutic effect of such article or any of the ingredients or substances contained therein, which is false or misleading in any particular. Any representation concerning the curative or therapeutic effect of any drug shall be deemed false if such representation is not supported by substantial medical opinion or demonstrable scientific facts.

Fourth. If the package fails 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, novacaine, alypin, chloroform, cannabis indica, chloral hydrate, codeine, acetanilid, antifebrin, acetphenetidin, phenacetine, antipyrin, or any derivative or preparation of any 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 the 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, novacaine, alypin, chloroform, cannabis indica, chloral hydrate, acetanilid, antifebrin, acetphenetidin, phenacetine, antipyrin or any derivative or preparation or any such substance contained therein.

Third. If in package form, the quantity of the contents be not plainly and conspicuously marked on the out-