

Other inconsistent
acts.

stance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the department and the enforcement of its orders; and prescribing penalties," and all other acts or parts of acts inconsistent herewith, are hereby repealed.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER

No. 292

AN ACT

To amend sections three and four as amended of an act, approved the eighth day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred and seventy), entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs; defining the word 'drug'; prescribing penalties for violation of this act, and the method of its enforcement."

Public health.

Section 3 of act of May 8, 1909 (P. L. 470), amended by act of June 7, 1917 (P. L. 564), further amended.

Section 1. Be it enacted, &c., That section three of an act, approved the eighth day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred and seventy), entitled "An act to prevent the manufacture and sale of adulterated or misbranded drugs; defining the word 'drug'; prescribing penalties for violation of this act, and method of its enforcement," which was amended by section two of an act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, five hundred and sixty-four), entitled "An act to amend the act, approved the eighth day of May, one thousand nine hundred and nine, entitled 'An act to prevent the manufacture and sale of adulterated or misbranded drugs; defining the word "drug"; prescribing penalties for violation of this act, and the method of its enforcement,'" is hereby further amended to read as follows:

What deemed to be
adulterated.

Section 3. That for the purpose of this act an article shall be deemed to be adulterated:

First. If a drug is sold under or by any name recognized by the [ninth] *tenth* revision of the Pharmacopoeia of the United States, the [fourth] *fifth* edition of the National Formulary, or the American Homeopathic Pharmacopoeia, it differs from the standard of strength, quality, or purity as determined by the test or formula laid down in the [ninth] *tenth* revision of the Pharmacopoeia of the United States, the [fourth] *fifth* edition of the National Formulary, or the American Homeopathic Pharmacopoeia: Provided, That no drug defined in the [ninth] *tenth* revision of the Pharmacopoeia of the United States, the [fourth]

Proviso.

fifth edition of the National Formulary; or the American Homeopathic Pharmacopoeia, except official preparations of opium, iodine, peppermint, camphor, ginger, and ethyl nitrit, shall be deemed to be adulterated, under this provision, if the standard of strength, quality, or purity be plainly stated, in juxtaposition with the official standard of strength, quality, and purity, upon the bottle, box, or other container thereof, although the standard may differ from that determined by the test or formula laid down by the [ninth] *tenth* revision of the Pharmacopoeia of the United States, the [fourth] *fifth* edition of the National Formulary, or the American Homeopathic Pharmacopoeia.

Standard stated.

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

Strength or purity.

Section 2. That section four of said act, as amended by section three of said act, approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws, five hundred sixty-four), is hereby further amended to read as follows:

Section 4, as amended, further amended.

Section 4. That for the purpose of this act an article shall be deemed to be misbranded:

When deemed to be misbranded.

First. All drugs, the package or label of which shall bear any statement, design, or device regarding such article, or the ingredients or substance or substances contained therein, shall be false or misleading in any particular.

False label.

Second. If it be an imitation of, or offered for sale under the name of, another article.

Imitation.

Third. If the contents of the package as originally put up shall have been removed, in whole or in part thereof, and other contents shall have been placed in such package; or if the package fail to bear statement on the label of the presence of any alcohol, morphine, opium, heroin, cocaine, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, phenacetine, antipyrine, or any derivative or any preparation of any such substances, contained therein: Provided, That nothing in this paragraph apply to the filling of written prescriptions, furnished by practicing physicians, dentists, and veterinarians, and kept on file by pharmacists; or as to such preparations as are specified and recognized by the [ninth] *tenth* revision of the Pharmacopoeia of the United States, the [fourth] *fifth* edition of the National Formulary, and the American Homeopathic Pharmacopoeia, which are made in accordance therewith and are sold under titles designated therein.

Substitution.

Statement of contents.

Proviso.

Fourth. 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 fraudulent.

False statement.

APPROVED—The 27th day of April, A. D. 1927.

JOHN S. FISHER