institute proceedings in equity in the court of common pleas of Dauphin County for the purpose of enjoining the conduct of business in this Commonwealth contrary to the provisions of this act, and for such purpose jurisdiction is hereby conferred upon said court. In such case the Attorney General shall not be required to give bond.

Section 14. The department shall enforce and shall adopt, rules, and regulations deemed necessary to carry out the provisions of this act.

License fees and fines to be paid into the General Fund.

Section 15. All moneys received from license fees and fines shall be immediately paid by the department into the State Treasury, through the Department of Revenue, and credited to the General Fund.

Constitutional provision.

Section 16. The provisions of this act shall be severable, and if any of its provisions shall be held to be unconstitutional, the decision of the court shall not affect the validity of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

APPROVED—The 27th day of May, A. D 1937.

GEORGE H. EARLE

No. 242

AN ACT

To further amend sections two, three, and four of the act, approved the eighth day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred 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," by further defining the standards for drugs and adulteration of drugs.

Sections 2 and 3, act of May 8, 1909 (P. L. 470), as amended by act of April 9, 1929 (P. L. 462), further amended.

Section 1. Be it enacted, &c., That sections two and three of the act, approved the eighth day of May, one thousand nine hundred and nine (Pamphlet Laws, four hundred 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," as last amended by the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws, four hundred sixty-two), are hereby further amended to read as follows:

Drug defined.

Section 2. That the term "drug," as used in this act, shall include all medicines and preparations recognized in the [tenth] *latest* revision of the Pharmacopoeia of the United States, the [fifth] *latest* edition of the National Formulary, or the American Homeopathic Phar-

macopoeia, *or and supplement to any of them official at the time of investigation,* for the 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 other animals.

When 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 after the first day of July, one thousand nine hundred and twenty-nine] which is recognized in the [tenth] *latest* revision of the Pharmacopoeia of the United States, the [fifth] *latest* edition of the National Formulary, or the American Homeopathic Pharmacopoeia, *or any supplement to any of them official at the time of investigation, is sold or offered for sale with or without a modifying prefix or suffix* and differs from the standard of strength, quality, or purity, as determined by the test or formula laid down in the [tenth] *latest* revision of the Pharmacopoeia of the United States, the [fifth] *latest* edition of the National Formulary, or the American Homeopathic Pharmacopoeia, or any supplement to any of them, official at the time of investigation: Provided, That no drug defined in the [tenth] *latest* revision of the Pharmacopoeia of the United States, the [fifth] *latest* edition of the National Formulary, or the American Homeopathic Pharmacopoeia, *or any supplement to any of them official at the time of investigation,* except the preparations in which any such drug may be an ingredient in the formula thereof, 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 [tenth] *latest* revision of the Pharmacopoeia of the United States, the [fifth] *latest* edition of the National Formulary, or the American Homeopathic Pharmacopoeia, *or any supplement to any of them official at the time of investigation.*

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

Section 4, as amended by act of April 27, 1927 (P. L. 458), further amended.

Section 2. That section four of said act, as last amended by section two of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws, four hundred fifty-eight), is hereby further amended to read as follows:

Misbrands.

Section 4. That for the purpose of this act an article shall be 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] *which is* false or misleading in any particular.

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

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, phenacentine, antipyrine, or any derivative or any preparation of any such substances, contained thereon: 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 [tenth] *latest* revision of the Pharmacopoeia of the United States, the [fifth] *latest* edition of the National Formulary, and the American Homeopathic Pharmacopoeia, *or any supplement to any of them official at the time of investigation,* which are made in accordance therewith and are sold under titles designated therein.

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.

When effective.

Section 3. This act shall become effective immediately upon its final enactment.

APPROVED—The 27th day of May, A. D. 1937.

GEORGE H. EARLE

No. 243

AN ACT

To amend sections two thousand six hundred and twenty-two and two thousand six hundred and twenty-six of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, extending the time within which appeals from auditors' reports may be taken.

Section 2622, act of May 18, 1911 (P. L. 309), as amended by act of May 29, 1931 (P. L. 243), further amended.

Section 1. Be it enacted, &c., That section two thousand six hundred and twenty-two of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine), entitled "An act to establish a public school system in