

set forth, whatever may be the name under or by which the same may be called or known.

SEC. 2. *And be it further enacted*, That, if any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Approved: May 17, 1935.

CHAPTER 173.

AN ACT to repeal and re-enact, with amendments, Section 192 of Article 43 of the Code of Public General Laws, title "Health," sub-title "Adulteration of Food and Drink," to further define the term "misbranding," so as to include false and misleading statements regarding the curative or therapeutic effect of any drug.

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That Section 192 of Article 43 of the Code of Public General Laws, title "Health," sub-title "Adulteration of Food and Drink," be and the same is hereby repealed and re-enacted, with amendments, to read as follows:

192. The term misbranded, as used herein, shall apply to all drugs or articles of food or articles which enter into the composition of food the package or label of which shall bear any statement, design or device regarding such article or the ingredients or substances contained therein, which shall be false or misleading in any particular, and to any food or drug product which is falsely branded as to the State, Territory, place or country in which it is manufactured or produced; that for the purpose of Sections 189 to 200, an article shall also be deemed to be misbranded.

In the case of drugs:

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

Second. 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.