Health and Mental Hygiene to require permits of food manufacturers, processors and packers and to permit certain exemptions from the Act, to define adulterated and misbranded drugs and devices, to require a prescription for dispensation of certain drugs, to require permits for the sale of new drugs unless regulated by the Federal Food, Drug and Cosmetic Act, to define misbranded and adulterated cosmetics, to define and prohibit false and misleading advertising of food, drugs, devices and cosmetics, to authorize the Secretary to promulgate regulations to permit the Secretary to publish information concerning enforcement of the Act, stating the relationship of this subheading to certain sections in Article 27 of this Code, and relating generally to the laws of Maryland concerning food, drugs, devices and cosmetics and to the administration and enforcement of such laws.

SECTION 1. *Be it enacted by the General Assembly of Maryland.* That Sections 187 through 191, inclusive, of Article 43 of the Annotated Code of Maryland (1957 Edition, 1965 Replacement Volume and 1970 Cumulative Supplement) title "Health," subtitle "Adulteration of Food and Drink," subheading "Food and Drug Law," be and they are hereby repealed, and that new Sections 187 through 191E, inclusive, be and they are hereby enacted in lieu thereof, to stand in the place of the sections so repealed, to be under the same title and subtitle and under the new subheading "Maryland Food, Drug and Cosmetic Act."

187.

This subheading may be cited as the Maryland Food, Drug and Cosmetic Act.

187A.

(a) For purposes of this subheading, the words and phrases listed in this section have the meanings respectively given them.

(b) The "Secretary" means the Secretary of the Department of Health and Mental Hygiene or his authorized representative or agent.

(c) The term "food" means (1) articles used for food or drink for man, (2) chewing gum, and (3) articles used for components of any such article.

(d) The term "drug" means (1) articles recognized in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and (2) articles intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man and (3) articles (other than food) intended to affect the structure or any function of the body of man and (4) articles intended for use as a component of any article specified in clause (1), (2), or (3); but does not include devices or their components, parts, or accessories.

(e) The term "counterfeit drug" means a drug which, or the container or labeling of which, without authorization, bears the trademark, trade name or other identifying mark, imprint, or device or any likeness thereof, of a drug manufacturer, processor, packer,