

189E.

Drugs designated as "controlled dangerous substances" under the provisions of Article 27 "Crimes and Punishment", subheading "Health-Controlled Dangerous Substances" of this Code shall be governed by the provisions of that subheading in addition to those provided by this subtitle and where there is any conflict of these provisions the provisions of Article 27 shall apply.

190A.

A cosmetic shall be deemed to be adulterated:

(a) If it bears or contains any poisonous or deleterious substance which would reasonably be expected to render it injurious to users under the conditions of use prescribed in the labeling or advertisement thereof, or under conditions of use which are customary or usual; provided, however, that this provision shall not apply to coal tar hair dye, the label of which bears the following legend conspicuously displayed thereon; "Caution—This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows; to do so may cause blindness," and the labeling of which bears adequate directions for such preliminary testing. For the purpose of the subsection and subsection (e) the term "hair dye" shall not include eyelash dyes or eyebrow dyes.

(b) If it consists in whole or in part of any filthy, putrid, or decomposed substance.

(c) If it has been produced, prepared, packed, or held under insanitary conditions whereby it would reasonably be expected to have become contaminated with filth, or whereby it would reasonably be expected to have been rendered injurious to health.

(d) If its container is composed, in whole or in part, of any poisonous or deleterious substance which would reasonably be expected to render the contents injurious to health.

(e) If it is not a hair dye and it is, or it bears or contains a color additive which is unsafe within the meaning of the Federal Act.

190B.

A cosmetic shall be deemed to be misbranded:

(a) (1) If its labeling is false or misleading in any particular.

(2) If its labeling or packaging fails to conform with the requirements of Section 191A of this subheading.

(b) If in package form, unless it bears a label containing the name and place of business of the manufacturer, packer, or distributor;

(c) If any word, statement, or other information required by or under authority of this subheading to appear on the label or labeling is not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices,