

*in the labeling) and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.*

*(d) If it is a color additive, unless its packaging and labeling are in conformity with such packaging and labeling requirements applicable to such color additive prescribed under the provisions of the Federal Act. This subsection shall not apply to packages of color additives which, with respect to their use for cosmetics, are marketed and intended for use only in or on hair dyes (as defined in the last sentence of Section 190A (a)).*

*(e) A cosmetic which is, in accordance with the practice of the trade, to be processed, labeled or repacked in substantial quantities at an establishment other than the establishment where it was originally processed or packed, is exempted from the affirmative labeling requirements of this subheading while it is in transit in commerce from the one establishment to the other, if the transit is made in good faith for completion purposes only; but it is otherwise subject to all applicable provisions of this subheading.*

#### 191A.

*(a) An advertisement of a food, drug, device, or cosmetic shall be deemed to be false if it is false or misleading in any particular.*

*(b) For the purpose of this subheading the advertisement of a drug or device representing it to have any effect in albuminuria, appendicitis, arteriosclerosis, blood poison, bone disease, Bright's disease, cancer, carbuncles, cholecystitis, diabetes, diphtheria, dropsy, erysipelas, gallstones, heart and vascular diseases, high blood pressure, mastoiditis, measles, meningitis, mumps, nephritis, otitis media, paralysis, pneumonia, poliomyelitis (infantile paralysis), prostate gland disorders, pyelitis, scarlet fever, sexual impotence, sinus infection, smallpox, tuberculosis, tumors, typhoid, uremia, venereal disease, shall also be deemed to be false, except that no advertisement not in violation of subsection (a) shall be deemed to be false under this subsection if it is disseminated only to members of the medical, dental, or veterinary professions, or appears only in the scientific periodicals of these professions, or is disseminated only for the purpose of public-health education by persons not commercially interested, directly or indirectly, in the sale of such drugs or devices; provided, that whenever the Secretary determines that an advance in medical science has made any type of self-medication safe as to any of the diseases named above, the Secretary shall by regulation authorize the advertisement of drugs having curative or therapeutic effect for such disease, subject to such conditions and restrictions as the Secretary may deem necessary in the interests of public health; and provided, further, that this subsection shall not be construed as indicating that self-medication for diseases other than those named herein is safe or efficacious.*

#### 191B.

*(a) The authority to promulgate regulations for the efficient enforcement of this subheading is hereby vested in the Secretary. The Secretary is hereby authorized to make the regulations promulgated under this subheading conform, insofar as practicable, with those promulgated under the Federal Act.*