

(3) To any drug which is subject to Section 189B [(a) (1)] of this subheading.

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.

191C.

(a) For purposes of enforcement of this subheading, the Secretary or any of his authorized agents, are authorized upon presenting appropriate credentials to the owner, operator or agent in charge to enter at reasonable times any factory, warehouse or establishment in which food, drugs, devices or cosmetics are manufactured, processed, packed or held for introduction into commerce or after such introduction or to enter any vehicle being used to transport or hold the food, drugs, devices or cosmetics in commerce; and to inspect at reasonable times and within reasonable limits and in a reasonable manner the factory, warehouse, establishment or vehicle and all pertinent equipment, finished and unfinished materials, containers and labeling therein, and to obtain samples necessary to the enforcement of this subheading. In the case of any factory, warehouse, establishment or consulting laboratory in which prescription drugs are manufactured, processed, packed or held, the inspection shall extend to all things therein (including records, files, papers, processes, controls, and facilities) bearing on whether prescription drugs which are adulterated or misbranded within the meaning of this subheading or which are prohibited from being manufactured, introduced into commerce or sold or offered for sale by reason of any provision of this subheading, have been or are being manufactured, processed, packed, transported or held in any such place or otherwise bearing on violation of this subheading. No inspection authorized for prescription drugs by the preceding sentence shall extend to (i) financial data, (ii) sales data other than shipment data, (iii) pricing data, (iv) personnel data (other than data as to the qualifications of technical and professional personnel performing functions subject to this subheading), and (v) research data (other than data, relating to new drugs and antibiotic drugs, subject to reporting and inspection under regulations lawfully issued pursuant to Section 355 (i) or (j) or Section 357 (d) or (g) of the federal act, and data, relating to other drugs, which in the case of a new drug would be subject to reporting or inspection under lawful regula-