

revised in this article, is deleted. Former Article 27, §§ 456 and 457, which dealt with poisons, were repealed in 1935. The other specific references are unnecessary in light of the provisions of HG Title 2 and § 1-301 of this article.

The second through seventh sentences of former Article 43, § 586, which generally provided for a transfer in 1972 of authority for milk inspection in Baltimore City from city officials to the Department, are deleted as obsolete.

SUBTITLE 2. MARYLAND FOOD, DRUG, AND COSMETIC ACT.

PART I. DEFINITIONS; SCOPE AND APPLICATION OF PROVISIONS.

4-201. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Article 43, § 187A(a).

Other provisions of former Article 43, § 187A, which defined other terms used in this subtitle, are revised in Subtitle 1 of this title.

(B) COUNTERFEIT DRUG.

"COUNTERFEIT DRUG" MEANS A DRUG THAT:

(1) BEARS, OR THE CONTAINER OR LABELING OF WHICH BEARS, WITHOUT AUTHORIZATION, THE TRADEMARK, TRADE NAME, IMPRINT, SYMBOL, OR ANY OTHER IDENTIFYING MARK, OR ANY LIKENESS OF ANY OF THESE MARKINGS, OF A MANUFACTURER, PROCESSOR, PACKER, OR DISTRIBUTOR OTHER THAN THE ONE WHO, IN FACT, MANUFACTURED, PROCESSED, PACKED, OR DISTRIBUTED THE DRUG; AND

(2) BY USE OF THESE MARKINGS FALSELY PURPORTS OR IS REPRESENTED TO BE THE PRODUCT OF, OR TO HAVE BEEN PACKED OR DISTRIBUTED BY, THE OTHER DRUG MANUFACTURER, PROCESSOR, PACKER, OR DISTRIBUTOR.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Article 43, § 187A(e).

(C) ESTABLISHED NAME.

(1) "ESTABLISHED NAME" MEANS, IN REGARD TO A DRUG OR AN INGREDIENT OF A DRUG: