REVISOR'S NOTE: This section is new language derived without substantive change from the second clause of former Article 43, § 187A(j), which formerly appeared as part of the definition of the word "label". However, since this provision clearly was not part of that definition, but rather a rule for interpreting requirements imposed under this subtitle, it is not retained as an element of the definition of "label" in § 4-101 of this subtitle. Instead, it is revised as an affirmative rule of construction that relates to labeling requirements.

4-204. CONSTRUCTION OF REPRESENTATIONS THAT DRUG IS ANTISEPTIC.

UNLESS THE DRUG IS PURPORTED TO BE AN ANTISEPTIC FOR INHIBITORY USE AS A WET DRESSING, OINTMENT, OR DUSTING POWDER, OR AS SOME OTHER SUBSTANCE THAT INVOLVES PROLONGED CONTACT WITH THE BODY, THE REPRESENTATION OF ANY DRUG, IN ITS LABELING OR IN AN ADVERTISEMENT, AS AN ANTISEPTIC SHALL BE CONSIDERED TO BE A REPRESENTATION THAT THE DRUG IS A GERMICIDE.

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

4-205. IMPUTATION OF ACT OR OMISSION.

FOR PURPOSES OF THE CONSTRUCTION AND ENFORCEMENT OF THIS SUBTITLE, AN ACT OR OMISSION OF ANY OFFICER, AGENT, EMPLOYEE, OR OF ANY OTHER PERSON ACTING FOR OR EMPLOYED BY ANY CORPORATION, COMPANY, SOCIETY, OR ASSOCIATION, SHALL BE CONSIDERED TO BE THE ACT OR OMISSION OF THE CORPORATION, COMPANY, SOCIETY, OR ASSOCIATION, AS WELL AS OF THE PERSON.

REVISOR'S NOTE: This section is new language derived without substantive change from the second clause of former Article 43, § 196.

The first clause of former Article 43, § 196, which defined "person", is deleted as unnecessary in light of the definition of "person" in § 1-101 of this article.

The General Assembly may wish to consider repealing this section, which, for most purposes, merely restates a well-established rule of the law of agency. To the extent that this section is broader than established agency principles, it may be broader than the General Assembly intended it to be.