

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 191B(e).

4-214. RESERVED.

4-215. RESERVED.

PART III. DRUGS AND DEVICES.

4-216. ADULTERATED DRUGS AND DEVICES.

(A) APPLICATION OF SECTION.

FOR PURPOSES OF THIS SUBTITLE, A DRUG OR DEVICE IS ADULTERATED IF THE STANDARDS IN THIS SECTION APPLY.

(B) ADULTERATED DRUGS AND DEVICES.

A DRUG OR DEVICE IS ADULTERATED IF:

(1) ANY PART OF IT IS A FILTHY, PUTRID, OR DECOMPOSED SUBSTANCE; OR

(2) IT WAS PRODUCED, PREPARED, PACKED, OR HELD UNDER UNSANITARY CONDITIONS THAT REASONABLY WOULD BE EXPECTED TO HAVE:

(I) CONTAMINATED IT WITH FILTH; OR

(II) CAUSED IT TO BE INJURIOUS TO HEALTH.

(C) ADULTERATED DRUGS.

IN ADDITION TO THE GROUNDS SPECIFIED IN SUBSECTION (B) OF THIS SECTION, A DRUG IS ADULTERATED IF:

(1) ANY PART OF ITS CONTAINER IS COMPOSED OF ANY POISONOUS OR OTHERWISE DELETERIOUS SUBSTANCE THAT REASONABLY WOULD BE EXPECTED TO HAVE CAUSED THE DRUG TO BE INJURIOUS TO HEALTH;

(2) FOR PURPOSES OF COLORING ONLY, IT IS OR IT CONTAINS A COLOR ADDITIVE, THE PARTICULAR USE OF WHICH HAS NOT BEEN FOUND SAFE AS PROVIDED UNDER § 4-239 OF THIS SUBTITLE;

(3) THE MIXING OR PACKING OF ANY SUBSTANCE WITH THE DRUG HAS REDUCED THE QUALITY OR STRENGTH OF THE DRUG;

(4) ANY SUBSTANCE HAS BEEN SUBSTITUTED FOR ANY PART OF THE DRUG;