

(III) ANY PERSON WHO MANUFACTURES, PREPARES, PROPAGATES, COMPOUNDS, OR PROCESSES ANY DRUG FOR USE ONLY IN RESEARCH, TEACHING, OR CHEMICAL ANALYSIS, AND NOT FOR SALE; OR

(IV) ANY OTHER CLASS OF PERSON THAT THE SECRETARY BY RULE OR REGULATION EXEMPTS FROM THE APPLICATION OF THIS SUBSECTION AFTER A FINDING THAT, FOR THAT CLASS OF PERSON, AN INSPECTION IN ACCORDANCE WITH THIS SUBSECTION IS NOT NECESSARY FOR THE PROTECTION OF THE PUBLIC HEALTH.

(C) AUTHORITY TO TAKE SAMPLES.

(1) DURING ANY INSPECTION UNDER THIS SECTION, THE SECRETARY MAY OBTAIN A SAMPLE OF ANY ITEM THAT IS SUBJECT TO THE INSPECTION.

(2) WHEN OBTAINING A SAMPLE FROM AN ESTABLISHMENT UNDER THIS SUBSECTION, THE SECRETARY SHALL GIVE THE OWNER, OPERATOR, OR AGENT IN CHARGE A RECEIPT THAT DESCRIBES THE SAMPLE OBTAINED.

(D) INSPECTION REPORTS.

ON COMPLETING AN INSPECTION UNDER THIS SECTION AND BEFORE LEAVING THE ESTABLISHMENT, THE SECRETARY OR REPRESENTATIVE OF THE SECRETARY SHALL:

(1) MAKE A WRITTEN REPORT THAT SETS FORTH ANY CONDITION OR PRACTICE THAT WAS OBSERVED DURING THE INSPECTION AND THAT INDICATES THAT ANY FOOD, DRUG, DEVICE OR COSMETIC IN THE ESTABLISHMENT:

(I) CONTAINS ANY FILTHY, PUTRID, OR DECOMPOSED SUBSTANCE; OR

(II) HAS BEEN PREPARED, PACKED PACKED, OR HELD UNDER UNSANITARY CONDITIONS BY WHICH IT:

1. MAY HAVE BECOME CONTAMINATED WITH FILTH; OR

2. OTHERWISE MAY HAVE BEEN RENDERED INJURIOUS TO HEALTH; AND

(2) GIVE THE OWNER, OPERATOR, OR AGENT IN CHARGE OF THE ESTABLISHMENT A COPY OF THE REPORT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 191C(a), (d) and the first sentence of (c).

In subsection (a) of this section, references to acts for "a commercial purpose" are substituted