

referred by the Secretary, is deleted as unnecessary and misleading given the prerogatives of a State's attorney.

4-256. PROHIBITED ACTS -- GENERAL PROVISIONS.

A PERSON MAY NOT:

(1) MANUFACTURE OR SELL ANY FOOD, DRUG, DEVICE, OR COSMETIC THAT IS ADULTERATED OR MISBRANDED;

(2) ADULTERATE OR MISBRAND ANY FOOD, DRUG, DEVICE, OR COSMETIC;

(3) MAKE A FOOD, DRUG, DEVICE, OR COSMETIC BECOME ADULTERATED BY ALTERING, MUTILATING, DESTROYING, OBLITERATING, OR REMOVING ANY PART OF ITS LABELING WHILE THE FOOD, DRUG, DEVICE, OR COSMETIC IS HELD FOR SALE;

(4) RECEIVE IN COMMERCE ANY ADULTERATED OR MISBRANDED FOOD, DRUG, DEVICE, OR COSMETIC;

(5) DELIVER OR OFFER FOR DELIVERY ANY ADULTERATED OR MISBRANDED FOOD, DRUG, DEVICE OR COSMETIC, WHETHER OR NOT FOR PAY;

(6) DISSEMINATE ANY FALSE ADVERTISEMENT.

(7) SELL ANY FOOD IN VIOLATION OF ANY REQUIREMENT IMPOSED UNDER § 4-211 OF THIS SUBTITLE;

(8) FAIL TO COMPLY WITH § 4-249 OR § 4-250 OF THIS SUBTITLE BY REFUSING TO PERMIT:

(I) AN ENTRY OR INSPECTION;

(II) THE TAKING OF A SAMPLE; OR

(III) ACCESS TO OR COPYING OF ANY RECORD.

(9) REMOVE OR DISPOSE OF ANY ARTICLE THAT IS DETAINED OR RESTRICTED UNDER § 4-253 OF THIS SUBTITLE; OR

(10) FORGE, COUNTERFEIT, SIMULATE, FALSELY REPRESENT, OR, WITHOUT PROPER AUTHORITY, USE ANY MARK, STAMP, TAG, LABEL, OR OTHER IDENTIFYING SYMBOL THAT IS AUTHORIZED OR REQUIRED BY ANY RULE OR REGULATION THAT IS ADOPTED UNDER THE PROVISIONS OF THE FEDERAL ACT OR OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 187B(1), (2), (3), (5), (6), (7), (9), (10), and (11) and the last sentence of § 187E(a).