

THAT WAS MADE;

(II) THE INSPECTION, EXAMINATION, OR TEST AND THE INSTRUMENTS, PERSONNEL, AND METHODS USED IN CONNECTION WITH IT REASONABLY WOULD BE EXPECTED TO DISCLOSE THE EXISTENCE OF THE VIOLATION;

(III) THE INSPECTION, EXAMINATION, TEST, OR THE WRITTEN REPORT PROVIDED NO BASIS FOR A BELIEF THAT THE ALLEGED VIOLATION EXISTED; AND

(IV) THE PERSON DID NOT COMMIT THE ALLEGED VIOLATION PURPOSELY, KNOWINGLY, RECKLESSLY, OR NEGLIGENTLY.

(2) THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION APPLY TO ANY VIOLATION OF ANY OF THE FOLLOWING PROVISIONS OF THIS SUBTITLE:

(I) § 4-256(1), CONCERNING THE MANUFACTURE OR SALE OF AN ADULTERATED OR MISBRANDED ARTICLE;

(II) § 4-256(2), CONCERNING THE ADULTERATION OR MISBRANDING OF ANY ARTICLE;

(III) § 4-256(4), CONCERNING THE RECEIPT IN COMMERCE OF ANY ADULTERATED OR MISBRANDED ARTICLE;

(IV) § 4-256(5), CONCERNING THE DELIVERY OF ANY ADULTERATED OR MISBRANDED ARTICLE;

(V) § 4-258(B)(13), CONCERNING THE FAILURE TO IDENTIFY ON A PRESCRIPTION FORM THE NAME OF THE PRESCRIBER OF A DRUG;

(VI) § 4-258(B)(14), CONCERNING THE DISPENSING OF A DRUG ON A WRITTEN PRESCRIPTION THAT LACKS THE NAME OF THE PRESCRIBER; AND

(VII) § 4-258(B)(15), CONCERNING THE PROVISION TO THE SECRETARY OF INFORMATION ABOUT PRESCRIPTION DRUGS.

(C) EXAMINATION BY SAMPLES CONSIDERED SUFFICIENT TEST FOR VIOLATIONS.

FOR PURPOSES OF THIS SECTION, AN INSPECTION, EXAMINATION, OR TEST BY REPRESENTATIVE SAMPLES OF A LOT, DELIVERY, OR OTHER MERCANTILE QUANTITY IS CONSIDERED TO BE A METHOD THAT REASONABLY WOULD BE EXPECTED TO DISCLOSE THE EXISTENCE OF A VIOLATION WITH RESPECT TO ALL OF THE ARTICLES INCLUDED IN THE LOT, DELIVERY, OR OTHER MERCANTILE QUANTITY.

(D) LIABILITY OF PERSONS IN THE BUSINESS OF DISSEMINATING ADVERTISEMENTS.