TITLE 21—FOOD AND DRUGS

Chap.		Sec.
1.	**Adulterated or Misbranded Foods or Drugs**	**1**
2.	**Teas [Repealed]**	**41**
3.	**Filled Milk**	**61**
4.	**Animals, Meats, and Meat and Dairy Products**	**71**
5.	**Viruses, Serums, Toxins, Antitoxins, and Analogous Products**	**151**
5A.	**Bureau of Narcotics [Omitted]**	**161**
6.	**Narcotic Drugs [Repealed or Transferred]**	**171**
7.	**Practice of Pharmacy and Sale of Poisons in Consular Districts in China**	**201**
8.	**Narcotic Farms [Repealed]**	**221**
9.	**Federal Food, Drug, and Cosmetic Act**	**301**
10.	**Poultry and Poultry Products Inspection**	**451**
11.	**Manufacture of Narcotic Drugs [Repealed]**	**501**
12.	**Meat Inspection**	**601**
13.	**Drug Abuse Prevention and Control**	**801**
14.	**Alcohol and Drug Abuse Educational Programs and Activities [Repealed]**	**1001**
15.	**Egg Products Inspection**	**1031**
16.	**Drug Abuse Prevention, Treatment, and Rehabilitation**	**1101**
17.	**National Drug Enforcement Policy [Repealed]**	**1201**
18.	**President's Media Commission on Alcohol and Drug Abuse Prevention [Omitted]**	**1301**
19.	**Pesticide Monitoring Improvements**	**1401**
20.	**National Drug Control Program**	**1501**
21.	**Biomaterials Access Assurance**	**1601**
22.	**National Drug Control Policy**	**1701**
23.	**National Youth Anti-Drug Media Campaign [Repealed]**	**1801**
24.	**International Narcotics Trafficking**	**1901**
25.	**Miscellaneous Anti-Drug Abuse Provisions**	**2001**
26.	**Food Safety**	**2101**
27.	**Food Safety Modernization**	**2201**

CHAPTER 1—ADULTERATED OR MISBRANDED FOODS OR DRUGS

SUBCHAPTER I—FEDERAL FOOD AND DRUGS ACT OF 1906

Sec.

1 to 15. Repealed or Transferred.

SUBCHAPTER II—MISCELLANEOUS PROVISIONS

Sec.

16. Introduction into, or sale in, State or Territory or District of Columbia of dairy or food products falsely labeled or branded.

17. Penalty for sale or introduction of falsely labeled dairy or food products; venue.

18. Suspension of importation of adulterated articles.

19. Repealed.

20. Apples in interstate commerce; standard grades.

21. Branding grades on barrels of apples.

22. Barrels misbranded.

23. Penalties.

24. Omitted.

25. Oleomargarine, butterine, or imitation butter or cheese transported into a State subject to its police powers.

26. Omitted.

SUBCHAPTER I—FEDERAL FOOD AND DRUGS ACT OF 1906

§§ 1 to 5. Repealed. June 25, 1938, ch. 675, § 1002(a), formerly § 902(a), 52 Stat. 1059; renumbered § 1002(a), Pub. L. 111–31, div. A, title I, § 101(b)(2), June 22, 2009, 123 Stat. 1784

Section 1, act June 30, 1906, ch. 3915, § 1, 34 Stat. 768, made it unlawful to manufacture adulterated or misbranded foods or drugs in Territories or District of Columbia and provided penalty for violations. See sections 331 and 333 of this title.

Section 2, act June 30, 1906, ch. 3915, § 2, 34 Stat. 768, prohibited introduction, shipment, delivery or sale of adulterated or misbranded foods or drugs in interstate or foreign commerce, provided penalty for violations and exempted exports conforming to specifications of foreign purchaser and not in conflict with laws of foreign country importing the same. See sections 331, 333 and 381 of this title.

Section 3, acts June 30, 1906, ch. 3915, § 3, 34 Stat. 768; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736, authorized Secretaries of the Treasury, Agriculture, and Commerce to make uniform rules and regulations for enforcement of food and drug laws, including collection and examination of specimens. See section 371 of this title.

Section 4, act June 30, 1906, ch. 3915, § 12, 34 Stat. 772, provided that act or omission of officer, agent, and so forth, of corporation, shall be deemed act or omission of corporation.

Section 5, act June 30, 1906, ch. 3915, § 12, 34 Stat. 772, defined ''territory'' and ''person''. See section 321 of this title and section 1 of Title 1, General Provisions.

EFFECTIVE DATE OF REPEAL

Act June 25, 1938, ch. 675, § 1002(a), formerly § 902(a), 52 Stat. 1059; renumbered § 1002(a), Pub. L. 111–31, div. A, title I, § 101(b)(2), June 22, 2009, 123 Stat. 1784, which repealed sections 1 to 5, 7 to 14, and 15 of this title, provided that the repeal of those sections should take effect upon the effective date of act June 25, 1938, which was to take effect twelve months after the date of its enactment. Act June 23, 1939, ch. 242, § 2(b), 53 Stat. 854, provided that: ''The provisions of such act of June 30, 1906, as amended, to the extent that they impose, or au-

thorize the imposition of, any requirement imposed by section 403(k) of the Federal Food, Drug, and Cosmetic Act [section 343(k) of this title], shall remain in force until January 1, 1940.''

§ 6. Transferred

CODIFICATION

Section, act Mar. 4, 1923, ch. 268, 42 Stat. 1500, was transferred to section 321a of this title.

§§ 7 to 14. Repealed. June 25, 1938, ch. 675, § 1002(a), formerly § 902(a), 52 Stat. 1059; renumbered § 1002(a), Pub. L. 111–31, div. A, title I, § 101(b)(2), June 22, 2009, 123 Stat. 1784

Section 7, act June 30, 1906, ch. 3915, § 6, 34 Stat. 769, defined ''drug'' and ''food''. See section 321 of this title.

Section 8, act June 30, 1906, ch. 3915, § 7, 34 Stat. 769, deemed drugs to be adulterated when sold having a difference from recognized standards, except where there is an explanatory statement on or in container, and when sold below professed standard; confectioneries, when containing mineral substances, poisonous color or flavors, other deleterious ingredients, liquors or narcotics; food, when concerned with injurious mixtures, use of substitutes, abstraction of valuable constituents, concealment of damage or inferiority, deleterious ingredients, preservatives in shipment conditionally excepted, animal or vegetable substances unfit for food and products of animals diseased or having died otherwise than by slaughter. See sections 342 and 351 of this title.

Section 9, act June 30, 1906, ch. 3915, § 8, 34 Stat. 771, defined ''misbranded'' and provided for its application to drugs and food. See sections 343 and 352 of this title.

Section 10, acts June 30, 1906, ch. 3915, § 8, 34 Stat. 771; Aug. 23, 1912, ch. 352, 37 Stat. 416; Mar. 3, 1913, ch. 117, 37 Stat. 732; July 24, 1919, ch. 26, 41 Stat. 271; July 8, 1930, ch. 874, 46 Stat. 1019, deemed drugs to be misbranded when there is an imitation or use of name of other article, when there is removal and substitution of contents of package or failure to state on label quantity or proportion of narcotics therein, and when there is a false statement of curative or therapeutic effect; and food, when there is an imitation or use of name of other article, when there is a false label or brand removal and substitution of contents of package, or failure to state or label quantity or proportion of narcotics therein, when the packages are not marked with weight, with certain variations and exemptions permitted, when there are false or misleading statements on package or label as to ingredients or substances; and food, when mixtures or compounds under distinctive names, the articles are labeled, branded as compounds, imitations, or blends; construed the term ''blend'' and related to disclosure of trade formulas of proprietary foods, and canned food. See sections 321b, 341, 343 and 352 of this title.

Section 11, acts June 30, 1906, ch. 3915, § 4, 34 Stat. 769; Jan. 18, 1927, ch. 39, 44 Stat. 1003, provided for examination of specimens, notice of adulteration or misbranding, hearing, certification of violations to United States district attorney and notice of judgment.

Section 12, act June 30, 1906, ch. 3915, § 5, 34 Stat. 769, provided for prosecution by district attorneys for enforcement of penalties.

Section 13, act June 30, 1906, ch. 3915, § 9, 34 Stat. 771, provided for a seller's guaranty as protection to dealer. See section 333 of this title.

Section 14, act June 30, 1906, ch. 3915, § 10, 34 Stat. 771, provided for seizure of articles by libel for condemnation, at suit of and in name of United States, in United States district court where found, conforming to proceedings in admiralty, with right to trial by jury, destruction or sale of adulterated or misbranded articles, bond and payment of proceeds into Treasury of United States. See sections 332, 334 and 337 of this title.

EFFECTIVE DATE OF REPEAL

For effective date of repeal, see section 1002(a) of act June 25, 1938, set out as a note under sections 1 to 5 of this title.

§ 14a. Transferred

CODIFICATION

Section, act June 30, 1906, ch. 3915, § 10A, as added June 22, 1934, ch. 712, 48 Stat. 1204, and amended, which related to examination of sea food on request of packer, marking of food with results, fees, and penalties, was successively renumbered section 702A and then 706 of the Federal Food, Drug, and Cosmetic Act by act July 12, 1943, ch. 221, title II, § 201, 57 Stat. 500, and by Pub. L. 102–571, title I, § 106(3), Oct. 29, 1992, 106 Stat. 4498, and was successively classified to section 372a and then 376 of this title.

§ 15. Repealed. June 25, 1938, ch. 675, § 1002(a), formerly § 902(a), 52 Stat. 1059; renumbered § 1002(a), Pub. L. 111–31, div. A, title I, § 101(b)(2), June 22, 2009, 123 Stat. 1784

Section, act June 30, 1906, ch. 3915, § 11, 34 Stat. 772, provided for examination of samples of imports, refusal of admission and delivery to consignee, delivery to consignee pending examination and decision on bond and charges for storage and lien therefor. See section 381 of this title.

EFFECTIVE DATE OF REPEAL

For effective date of repeal, see section 1002(a) of act June 25, 1938, set out as a note under sections 1 to 5 of this title.

SUBCHAPTER II—MISCELLANEOUS PROVISIONS

§ 16. Introduction into, or sale in, State or Territory or District of Columbia of dairy or food products falsely labeled or branded

No person or persons, company or corporation, shall introduce into any State or Territory of the United States or the District of Columbia from any other State or Territory of the United States or the District of Columbia, or sell in the District of Columbia or in any Territory any dairy or food products which shall be falsely labeled or branded as to the State or Territory in which they are made, produced, or grown, or cause or procure the same to be done by others.

(July 1, 1902, ch. 1357, § 1, 32 Stat. 632.)

§ 17. Penalty for sale or introduction of falsely labeled dairy or food products; venue

If any person or persons violate the provisions of section 16 of this title, either in person or through another, he shall be guilty of a misdemeanor and shall be punished by a fine of not less than $500 nor more than $2,000. The jurisdiction for the prosecution of said misdemeanor shall be within the district of the United States court in which it is committed.

(July 1, 1902, ch. 1357, § 2, 32 Stat. 632.)

§ 18. Suspension of importation of adulterated articles

Whenever the President is satisfied that there is good reason to believe that any importation is being made, or is about to be made, into the United States, from any foreign country, of any