

MAINE STATE LEGISLATURE

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NEW DRAFT.

SEVENTY-SECOND LEGISLATURE

HOUSE.

No. 575

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND FIVE.

AN ACT to provide for the proper labelling of proprietary
medicines containing alcohol and narcotic drugs.

*Be it enacted by the Senate and House of Representatives in
Legislature assembled, as follows:*

Section 1. No person shall sell or expose for sale any
2 proprietary or patent medicine containing alcohol, opium or
3 any of its preparations, chloral, or cocaine or any of its salts
4 except as hereinafter provided.

Sect. 2. Any proprietary or patent medicine containing
2 alcohol, opium, or any of its preparations, chloral, or cocaine
3 or any of its salts shall have plainly and conspicuously writ-

4 ten or printed on the bottle or receptacle and on the outside
5 wrapper or package, if any, a true statement of the percent-
6 age of alcohol and the percentage or proportion of each of
7 the other above-mentioned drugs which the medicine con-
8 tains.

Sect. 3. This act shall not apply to medicinal compounds
2 prescribed by a registered physician, nor to preparations
3 listed in national pharmacopœias, the national and U. S. dis-
4 pensatories, or the national formulary, unless sold under a
5 proprietary name.

Sect. 4. This act shall not apply to preparations intended
2 solely for external use whenever the label plainly indicates
3 that the preparation is not to be used internally.

Sect. 5. The label placed upon a proprietary or patent
2 medicine by the manufacturer as required by this act shall be
3 a warranty of the accuracy of the statements contained
4 therein, and the absence of any statement on such label shall
5 constitute a warranty by the manufacturer that such medi-
6 cine contains none of the drugs mentioned in this act. Any
7 person injured by reason of the failure of a manufacturer to
8 comply with the provisions of this act shall have cause of
9 action against the manufacturer and may recover both actual
10 and exemplary damages.

Sect. 6. Any person violating any of the provisions of this
2 act shall be punished for each offense by a fine of not less
3 than fifty dollars nor more than two hundred dollars, or by
4 imprisonment for not less than thirty days nor more than
5 one hundred and fifty days in the discretion of the court.

Sect. 7. This act shall take effect July 1, 1906, but the
2 provisions of the act shall not apply to stock actually on
3 hand in wholesale or retail stores within this State prior to
4 May 1, 1905.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, March 20, 1905.

Majority and minority reports of Committee on Temperance reporting "ought not to pass" and "ought to pass in new draft" on bill labeling proprietary medicines; taken from table on motion of Mr. MILLIKEN of Island Falls; bill in new draft ordered printed; reports tabled and Wednesday, March 22, assigned for consideration.

E. M. THOMPSON, *Clerk*