

PUBLIC HEALTH CODE (EXCERPT)
Act 368 of 1978

333.17765 Adulteration or misbranding; guaranty or undertaking as protection against penalties for violation; exception; notice to seller, manufacturer, or wholesale distributor.

Sec. 17765. A person is not subject to penalties for a violation of this part dealing with adulteration or misbranding, if the person establishes that a guaranty or undertaking was made in accordance with the federal act, or that a guaranty was signed by and contains the name and address of the person residing in this state from whom the former person received in good faith the drug or device, to the effect that the drug or device is not adulterated or misbranded within the meaning of this part. The guaranty does not protect the seller if the product is adulterated or misbranded under this part and the board has previously given written notice to the seller of that fact. The board shall not serve notice on the seller until the board has notified the manufacturer or wholesale distributor of the findings of the state analyst with reference to the product. The notice to the manufacturer or wholesale distributor shall be written and shall be mailed at least 10 days before a notice is given to a seller under this section.

History: 1978, Act 368, Eff. Sept. 30, 1978.

Popular name: Act 368