Using Print Codes

I. Each state code has its own system of subject organization and its own numbering scheme, e.g.:
   a. California—by subject
   b. Indiana—by titles
   c. New Mexico—by numbers

II. Access tools for print codes:
   a. The index—try various different key words
   b. The Popular Name Table—alphabetical list of acts by popular name
   c. The table of contents—for title, article, chapter, or a particular code section

III. IC 16-42-1-16
   a. The citation refers to different levels of hierarchy. In the case of Indiana, that citation is to the Indiana Code, Title 16, Article 42, Chapter 1, Section 16. For Indiana you might remember the order by the acronym TACS.

   b. Features of an annotated code
      i. The text of a section of a codified statute
      ii. History: citations to an originating act and its amendments
      iii. Cross References to related sections of the code
      iv. Commentaries: relevant law review articles
      v. Research References: citations to secondary sources such as legal encyclopedias and the ALR
      vi. Notes of decisions: summaries and references to cases which interpret or explain the statute section. They are often organized by topic in a mini-index at the top.

   c. Pocket part: an annual supplement which updates a main volume
   d. Interim Annotated Service: periodic supplements which update the annotations
   e. Legislative Service: periodic supplements which update the statutory language
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Indiana Code
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If one keyword isn't working, try another. Often the statute you're looking for can be found several ways in the index.
POPULAR NAME TABLE

This table contains a selective alphabetical listing of those Indiana laws which are commonly referred to by a popular name or descriptive term, or by a statutory short title.

Abstract and Title Insurance Law, 27-7-3-1 et seq.
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Administration Act of 1961, 4-13-1-1 et seq.
Adoption of children, Interstate Compacts on Adoption Assistance, 31-19-29-1 et seq.
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Advance Refunding Bond Law, 5-1-5-1 et seq.
Aeronautics Commission of Indiana Act, 8-21-1-1 et seq.
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Bail Law, 27-10-1-0.3 et seq.
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Uniform Interstate Family Support Act, 31-18-1-1 et seq.
Uniform Transfers to Minors Act, 30-2-8.5-1 et seq.
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Cigarette Fair Trade Act, 24-3-2-1 et seq.
Civil Defense and Disaster Law of 1975, 10-14-3-0.5 et seq.
Civil Protection Order Act, 34-26-5-1 et seq.
Civil Rights Act, 22-9-1-0.1 et seq.

Many jurisdictions' codes contain a popular name table, a helpful tool for finding the citation to a statute when you only know it by its short title or popular name, e.g., Defense of Marriage Act.
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Chapter 1

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16-42-1-1  Purpose of act
Sec. 1. (a) IC 16-42-1 through IC 16-42-4 are intended to safeguard the public health and promote the public welfare by protecting the:

(1) consuming public from injury by product use; and
(2) purchasing public from injury by merchandising deceit;
flowing from intrastate commerce in food, drugs, devices, and cosmetics.

(b) IC 16-42-1 through IC 16-42-4 are intended to be uniform with the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and with the

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Statutes often work in concert with one another, so one strategy for finding relevant statutes is to locate the correct area of the code and use a table of contents to find relevant sections. For instance, this is the table of contents to the Food, Drug and Cosmetic Act.
16–42–1–16  Prohibited acts; defenses; injunctions

Sec. 16. (a) A person may not engage in any of the following acts:

1. The sale in intrastate commerce of a food, drug, device, or cosmetic that is adulterated or misbranded.

2. The adulteration or misbranding of a food, drug, device, or cosmetic in intrastate commerce.

3. The receipt in intrastate commerce of a food, drug, device, or cosmetic that is adulterated or misbranded, and the sale of those items in intrastate commerce for pay or otherwise.


5. The refusal to permit access to or copying of any record as required by section 12 of this chapter.

6. The refusal to permit entry or inspection by state health commissioner or the state health commissioner’s authorized representative or to the courts when relevant in any judicial proceeding, any information acquired under authority of section 13 of this chapter or IC 16–42–2 through IC 16–42–4.

7. The use, without proper authority, of any mark, stamp, tag, label, or other identification device authorized or required by rules adopted under this chapter or IC 16–42–2 through IC 16–42–4.

8. The use by any person to the person’s own advantage, or the revelation, other than to the state health commissioner or the state health commissioner’s authorized representative or to the courts when relevant in any judicial proceeding, any information acquired under authority of section 13 of this chapter or IC 16–42–3–7 through IC 16–42–3–10 concerning any method or process that as a trade secret is entitled to protection.

9. The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling of, or the doing of any other act with respect to a food, drug, device, or cosmetic if the act is done while the article is held for sale and results in the article being misbranded.

10. The use on the labeling of any drug or in any advertising relating to the drug of any representation or suggestion that an application with respect to the drug is effective under IC 16–42–3–7 and IC 16–42–3–8 unless the drug complies with those sections.

11. The removal or disposal of a detained or embargoed article in violation of this chapter.

12. The giving of a guaranty or undertaking in intrastate commerce referred to in subsection (c) that is false.

(b) A person who violates subsection (a) commits a Class A misdemeanor. However, the offense is a Class D felony if the offense is committed with intent to defraud or mislead.

(c) It is a defense for a person accused of violating subsection (a)(1) or subsection (a)(3) if the person establishes a guaranty or undertaking signed by
and containing the name and address of the person residing in the United States from whom the accused person received in good faith the article to the effect that the article is not adulterated or misbranded within the meaning of this article or the Federal Act.

(d) In addition to the remedies provided in this section, the commissioner or the commissioner's legally authorized circuit or superior court for a temporary or permanent restraining order or any person from violating any provision of this section.


**Most recent history**

**Historical and Statutory Notes**

Formerly:
- IC 16-1-28-4.
- IC 16-1-28-5.
- IC 16-1-28-19.

**Full history**

Acts 1949, c. 157, ss. 1903, 1904, 1918.
P.L.2–1988, SEC.211.

**Cross References**

Class A misdemeanor, punishment, see IC 35-50-3-2.
Class D felony, punishment, see IC 35-50-2-7.
Delivery of drug samples to ultimate user after removal from original package, offense, see IC 16-42-21-4.
State department of health, enforcement proceedings, injunctions, see IC 16-42-3-1 et seq.
Uniform Trade Secrets Act, see IC 24-2-3-1 et seq.

**Administrative Code References**

Food, labeling requirements, exemptions, see 410 IAC 7-6-1.

**Law Review and Journal Commentaries**


**Library References**

Food \(\equiv\) 11.
Health \(\equiv\) 307, 309, 326.

Westlaw Topic Nos. 178, 198H.
C.J.S. Food §§ 41, 43 to 51.

**Research References**

Encyclopedias
- Ind. Law Encycl. Food § 11, Marking, Labeling, or Branding of Food.

Ind. Law Encycl. Food § 13, Prohibited Acts; Enjoining Violations.

United States Code Annotated

Federal Food, Drug, and Cosmetic Act,
- Injunction proceedings, see 21 U.S.C.A. § 332.
- Prohibited acts and penalties, see 21 U.S.C.A. § 331 et seq.
- Violations, exemptions in cases of good faith, see 21 U.S.C.A. § 333.

**Notes of Decisions**

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Anatomy of an annotated statute, continued

16–42–1–16

Defenses 6
Knowledge or intent 3
Pleadings 5
Sale 4

1. In general
Under penalty section of former Uniform Food, Drug and Cosmetic Act providing that food, drug and cosmetic act shall be guilty, any person who violates the act shall be guilty, including corporation in view of etc., "person" included a corporation as including a corporation. Golden Guernsey Farms v. State, 1945, 63 N.E.2d 699, 223 Ind. 606. Food ⇔ 12

2. Authority of state and state agencies

3. Knowledge or intent
While Acts 1907, p. 153, c. 104, s. 2 [repealed; see, now, this section and IC 16–42–2–2] made it unlawful for any person to offer for sale or sell any adulterated or misbranded article of food, guilty knowledge or intent was not an element of such offense. Groff v. State, 1908, 85 N.E. 769, 171 Ind. 547, 17 Am. Ann. Cases. 133. Food ⇔ 14

To constitute an offense, under former statute [see, now, this section and IC 16–42–2–2, 16–42–16–42, 16–42–16–43], in the sale of meat of diseased animals, or having the same with intent to sell, it was intended that the sale, or intended sale, must have been for food, and that the defendant must have had knowledge of the bad quality of the meat. Schmidt v. State, 1881, 78 Ind. 41. Animals ⇔ 34

4. Sale
Under Pure Food and Drugs law, Acts 1907, c. 104, s. 10 [repealed; see, now, this section], providing that it was unlawful for anyone to sell any drug or article of food which was adulterated or misbranded, sale of an article of food or drug to authorized inspector for purpose of analysis and not for consumption was a sale within prohibition of statute. 1907–1908 Op. Atty.Gen. p. 267.

5. Pleadings
An affidavit charging that defendant had in his possession, with intent to sell, meat taken from diseased animals, knowing it to be so taken and intending it to be used for food, is sufficient to charge an offense under former

Cases listed under the Notes of Decisions are organized topically, with a mini-index at the beginning of the section.

An affidavit, charging the sale of milk containing visible dirt "unlawfully" was sufficient to charge such a sale as an offense, within Acts 1911, c. 240 [repealed; see, now, this section] denouncing a sale of such milk. State v. Clouser, 1912, 99 N.E. 1057, 179 Ind. 230. Food ⇔ 20(1)

Where an affidavit charged defendant with the violation of the former pure food law, Acts 1899, c. 121 [repealed; see, now, this section and IC 16–42–2–2, 15–2.1–23–1 et seq.], and recited that he had in his possession, with intent to sell, one pint of milk, adulterated with a certain substance injurious to health, to wit, formaldehyde, the affidavit was not bad for want of an allegation that formaldehyde is either poisonous or injurious to health. Isenhour v. State, 1901, 62 N.E. 40, 157 Ind. 517, 87 Am. St. Rep. 228. Food ⇔ 20(4)

An information under former statute [see, now, this section and IC 16–42–2–2, 16–42–16–42 and 16–42–16–43], which alleged that defendant did unlawfully, "knowingly," and wrongfully, kill, for the purpose of selling for food, certain sick, diseased, and injured animals, etc., sufficiently showed that defendant knew the animals were sick, diseased, or injured at the time they were killed, and that his purpose was to sell them for food. Moeschke v. State, App. 1896, 42 N.E. 1029, 14 Ind. App. 393. Animals ⇔ 36

An information under former statute [see, now, this section and IC 16–42–2–2, 16–42–16–42, and 16–42–16–43], making it a penal offense for anyone to have in his possession, with intent to sell, the meat of any diseased animal, which alleged that defendant unlawfully and knowingly had such meat in his possession, with intent to sell, sufficiently charged defendant with knowledge that the meat was diseased. Brown v. State, App. 1895, 42 N.E. 244, 14 Ind. App. 24. Food ⇔ 20(1); Animals ⇔ 36

6. Defenses
In a prosecution for violating Acts 1907, c. 104, s. 2 [repealed; see, now, this section and IC 16–42–2–2] prohibiting the sale of adulterated food, by an alleged sale of oleomargarine for dairy butter, it was no defense that defendant's clerk made the sale in defendant's absence and
16-42-1-2 Authority to adopt certain federal regulations

Research References

Encyclopedias


Ind. Law Encycl. Food § 11, Marking, Labeling, or Branding of Food.

16-42-1-6 Registration of manufacturer, processor, repackager, or wholesale distributor; maintaining place of business in state

Research References

Encyclopedias

Ind. Law Encycl. Food § 4, License.

Notes of Decisions

In general

1. In general

Under Indiana law, bottled water supplier failed to perform under packing agreement with distributor, and thus could not enforce agreement against distributor, where agreement required supplier to obtain insurance and to provide water that was "wholesome, merchantable, and fit for the human consumption," but supplier failed to register its production facility with state, did not comply with federal regulations, did not comply with requirements concerning its physical facility, did not routinely inspect its equipment, did not conduct yearly tests for certain contaminants and weekly tests of its production runs for bacteria, and did not obtain level of insurance required under parties’ agreement. Michiana Dairy Producers, LLC v. All Star Beverage, Inc., N.D. Ind. 2010, 744 F. Supp. 2d 790. Contracts § 312(1); Insurance § 1702.

16-42-1-9 Advertisements; curative or therapeutic effect for certain diseases

United States Code Annotated

Television advertisements, advisory review, see 21 U.S.C.A. § 879h-1.

Television advertisements, pre-review, see 21 U.S.C.A. § 363b.

16-42-1-13 Inspection of factories, warehouses, and vehicles

Research References

Encyclopedias

Ind. Law Encycl. Food § 5, Inspection and Tests.

16-42-1-16 Prohibited acts; defenses; injunctions

This version of section effective July 1, 2014. See, also, version of this section effective until July 1, 2014.

Sec. 16. (a) A person may not engage in any of the following acts:

(1) The sale in intrastate commerce of a food, drug, device, or cosmetic that is adulterated or misbranded.

(2) The adulteration or misbranding of a food, drug, device, or cosmetic in intrastate commerce.

(3) The receipt in intrastate commerce of a food, drug, device, or cosmetic that is adulterated or misbranded, and the sale of those items in intrastate commerce for pay or otherwise.

(4) The sale of any article in violation of section 6 of this chapter, IC 16-42-3-7, IC 16-42-3-8, IC 16-42-3-9, or IC 16-42-3-10.

The code section as it appears in the pocket part. Notice that its format in the pocket part mirrors the layout of the main volume.
(5) The refusal to permit access to or copying of any record as required by section 12 of this chapter.

(6) The refusal to permit entry or inspection and collection of samples as authorized by section 10 or 13 of this chapter.

(7) The use, without proper authority, of any stamp, tag, label, or other identification device authorized or required by rules adopted under this chapter or IC 16-42-2 through IC 16-42-4.

(8) The use by any person to the person's own advantage, or the revelation, other than to the state health commissioner or the state health commissioner's authorized representative or to the courts when relevant in any judicial proceeding, any information acquired under authority of section 13 of this chapter or IC 16-42-3-7 through IC 16-42-3-10 concerning any method or process that as a trade secret is entitled to protection.

(9) The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling of, or the doing of any other act with respect to a food, drug, device, or cosmetic if the act is done while the article is held for sale and results in the article being misbranded.

(10) The use on the labeling of any drug or in any advertising relating to the drug of any representation or suggestion that an application with respect to the drug is effective under IC 16-42-3-7 and IC 16-42-3-8 unless the drug complies with those sections.

(11) The removal or disposal of a detained or embargoed article in violation of this chapter.

(12) The giving of a guaranty or undertaking in intrastate commerce referred to in subsection (e) that is false.

(b) A person who violates subsection (c) is guilty of a Level 6 felony if the offense is a Level 6 felony if the offense.

(c) It is a defense for a person accused under subsection (b) that the person establishes a guaranty or undertaking in good faith to the article to the effect that the meaning of this article or the Federal.

(d) In addition to the remedies provided in this section, the commissioner's legally authorized agent may temporarily or permanently injunctive restrained.


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**Historical and Statutory Notes**

**2013 Legislation**

P.L.158-2013, Sec.247, in Subsec. (a)(4), corrected a citation; and in Subsec. (b) substituted “Level 6” for “Class D”.

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**Research References**

- Encyclopedias
  - Ind. Law Encycl. Food § 11, Marking, Labeling, or Branding of Food.
  - Ind. Law Encycl. Food § 16, Defenses.

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**Notes of Decisions**

4. Sale

Buyer of infrared lamps failed to demonstrate that there was a material misrepresentation by seller, as required to support claim that seller committed fraud under Indiana law by representing that lamp had been approved by the Food and Drug Administration (FDA) for the treatment of peripheral neuropathy; buyer had the expected results with its use of the lamp to treat patients who suffered from peripheral neuropathy because it relieved their symptoms, and the device with which it replaced the lamps also had not been approved by the FDA for treatment of peripheral neuropathy: Nightingale Home Healthcare, Inc. v. Anodyne Therapy, LLC, C.A.7 (Ind.)2009, 589 F.3d 881. Fraud &gt; 18; Fraud &lt; 25
On occasion the pocket part may also be outdated. In that case you need to check the end of the print set of code volumes for one or more paperback booklets which update the code in advance of the pocket parts. What this looks like varies by jurisdiction.

In Indiana, there are two different periodic supplementary booklets to look for. The first is the *Interim Annotation Service* which updates annotations by adding new cases.

Directly Supplementing 2012 Pocket Parts for Use in 2013

Contains Court Rules received through November 1, 2012

For Text of 2013 Court Amendments see the IN-RULESUPDATE, and IN-RULES Databases.

Note: in this example the pocket part is actually up-to-date. This document is included for illustrative purposes only. A good hint is to always *check the dates* of the updating materials to determine which is most current.
ARTICLE 42

REGULATION OF FOOD, DRUGS, AND COSMETICS

Chapter 19

Drugs: Indiana Legend Drug Act

16-42-19-13 Possession or use of legend drug or precursor

Notes of Decisions

8. Sufficiency of evidence—In general
   Evidence was sufficient to support verdict that defendant unlawfully possessed syringe, where hypodermic syringe was found in defendant's pocket following traffic stop, defendant testified that he had "been a hard-core junkie for about five years" and that he usually took heroin by injecting it with a syringe. Cherry v. State, App.2012, 971 N.E.2d 726, transfer denied 974 N.E.2d 1020. Controlled Substances ⇔ 89

16-42-19-18 Legend drug injection devices

Notes of Decisions

Sentence and punishment 3

2. Sufficiency of evidence
   Evidence was sufficient to support verdict that defendant unlawfully possessed syringe, where hypodermic syringe was found in defendant's pocket following traffic stop, defendant testified that he had "been a hard-core junkie for about five years" and that he usually took heroin by injecting it with a syringe. Cherry v. State, App.2012, 971 N.E.2d 726, transfer denied 974 N.E.2d 1020. Controlled Substances ⇔ 89

3. Sentence and punishment
   Aggregate sentence of ten years, with two years suspended and four years of probation, was appropriate following convictions for aiding, inducing, or causing dealing in heroin and unlawful possession of syringe; defendant's conduct was not an isolated incident but rather part of apparent drug-dealing operation of some scope and duration, and defendant had long history of substance abuse with only cursory attempts at rehabilitation. Cherry v. State, App.2012, 971 N.E.2d 726, transfer denied 974 N.E.2d 1020. Controlled Substances ⇔ 100(2); Sentencing and Punishment ⇔ 66; Sentencing and Punishment ⇔ 98

TITLE 22

OR AND SAFETY

Chapter 4

Regulation of Wage Payments

22-2-4-4 Failure to pay; fines and penalties; damages

Notes of Decisions

4.5. Independent contractors
   Given existence of operating agreement between Indiana package delivery company and pickup and delivery drivers, issue of whether drivers were employees of package delivery company or independent contractors could not be resolved on a class-wide basis, and therefore certification of class of drivers was not inappropriate with respect to their claims against company for compensatory
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Use the Table of Contents to the Indiana Legislative Service to identify and locate the materials contained in the service, such as the text of the acts, the tables, and the index.
### TABLE 1—CUMULATIVE

**INDIANA CODE SECTIONS AFFECTED BY 2013 LEGISLATION**

Finding tools in the Legislative Service include tables, located at the end of the booklet. This table is organized by citation, and will show you whether any recently enacted Indiana legislation affects your statute.

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**Statutory Citation:** 16-42-1-16

**Effect of the New Legislation:** Amended

**Public Law Number:** 158

**Section Number:** 247
Once we've located the public law number that affects our statute, use the public law number ranges on the front of the Indiana Legislative Service volumes to locate the text of the amending language.
(Our public law was 158-2013, so we know to look in Vol. 2.)
SECTION 247. IC 16-42-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Sec. 16. (a) A person may not engage in any of the following acts:

1. The sale in intrastate commerce of a food, drug, device, or cosmetic that is adulterated or misbranded.
2. The adulteration or misbranding of a food, drug, device, or cosmetic in intrastate commerce.
3. The receipt in intrastate commerce of a food, drug, device, or cosmetic that is adulterated or misbranded, and the sale of those items in intrastate commerce for pay or otherwise.
4. The sale of any article in violation of IC 16-42-1-6, section 6 of this chapter, IC 16-42-3-7, IC 16-42-3-8, IC 16-42-3-9, or IC 16-42-3-10.
5. The refusal to permit access to or copying of any record as required by section 12 of this chapter.
6. The refusal to permit entry or inspection and collecting of samples as authorized by section 10 or 13 of this chapter.
7. The use, without proper authority, of any mark, stamp, tag, or device authorized or required by rules adopted under this chapter.
8. The use by any person to the person's own advantage, or to the use of any federal, state or local government or to the state health commissioner or the state health commissioner's designee, or to the courts when relevant in any judicial proceeding, any information, record, or other data under the authority of section 13 of this chapter or IC 16-42-3-7, through any method or process that is not entitled to protection.
9. The alteration, mutilation, destruction, obliteration, or removal of the whole or any part of the labeling of, or the doing of any other act with respect to a food, drug, device, or cosmetic if the act is done while the article is held for sale and results in the article being misbranded.
10. The use on the labeling of any drug or in any advertising relating to the drug of any representation or suggestion that an application with respect to the drug is effective under IC 16-42-3-7 and IC 16-42-3-8 unless the drug complies with those sections.
11. The removal or disposal of a detained or embargoed article in violation of this chapter.
12. The giving of a guaranty or undertaking in intrastate commerce referred to in subsection (c) that is false.

(b) A person who violates subsection (a) commits a Class A misdemeanor. However, the offense is a Class-D Level 6 felony if the offense is committed with intent to defraud or mislead.

(c) It is a defense for a person accused of violating subsection (a)(1) or subsection (a)(3) if the person establishes a guaranty or undertaking signed by and containing the name and address of the person residing in the United States from whom the accused received in good faith the article to the effect that the article is not adulterated or misbranded within the meaning of this article or the Federal Act.

(d) In addition to the remedies provided in this article, the state health commissioner or the commissioner's legally authorized agent may apply to the circuit or superior court for a temporary or permanent injunction restraining any person from violating any provision of this section.

SECTION 248. IC 16-42-19-27, AS AMENDED BY P.L.2-2005, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

Sec. 27. (a) A person who knowingly violates this chapter, except sections 24 and 25(b) of this chapter, commits a Class-D Level 6 felony. However, the offense is a Class-C Level 3 felony if the person has a prior conviction under this subsection or IC 16-6-8-10(a) before its repeal.

(b) A person who violates section 24 of this chapter commits a Class B misdemeanor.