

Article - Health - General

[Previous][Next]

§21-1114.

In any action brought by the Attorney General under § 11-209 of the Commercial Law Article, a person that sells, distributes, or otherwise disposes of any drug, medicine, cosmetic, food, food additive, or commercial feed, as defined in § 6-101 of the Agriculture Article, or medical device:

(1) May not assert as a defense that the person did not deal directly with the person on whose behalf the action is brought; and

(2) May prove, as a partial or complete defense against a damage claim, in order to avoid duplicative liability, that all or any part of an alleged overcharge ultimately was passed on to another person by a purchaser or seller in the chain of manufacture, production, or distribution who paid the alleged overcharge.

[Previous][Next]