

CHAPTER 751

(House Bill 1090)

AN ACT to repeal and re-enact, with amendments, Sections 192 (a), ~~(b)~~, (c-1), (g), and (h), and 193 (a) of Article 43 of the Annotated Code of Maryland (1962 Supplement), title "Health," subtitle "Adulteration of Food and Drink," subheading "Food and Drug Law," providing for the legal sale of artificially sweetened ~~ice cream and~~ ice milk and relating to requirements for such sale.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 192 (a), ~~(b)~~, (c-1), (g) and (h), and 193 (a) of Article 43 of the Annotated Code of Maryland (1962 Supplement), title "Health," subtitle "Adulteration of Food and Drink," subheading "Food and Drug Law," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

192.

(a) The standards for the quality, purity and strength of drugs under Sections 187 to 197 of this subtitle shall be the standard set by the United States Pharmacopoeia or the National Formulary. In case of foods and drugs not already standardized by the United States Pharmacopoeia or the National Formulary, the standards of quality, purity and strength prescribed by regulations lawfully adopted from time to time ~~{by the FOOD AND DRUG ADMINISTRATION OF THE DEPARTMENT OF HEALTH, EDUCATION AND WELFARE administrator of the Federal Security Agency, Food and Drug Administration,}~~ *under the authority of section 402 (j) of the Federal Food, Drug and Cosmetic Act, as amended,* are hereby declared to be the standards of quality, purity and strength for such foods and drugs in the State of Maryland, except in the cases of ice cream, ~~artificially sweetened ice cream,~~ *artificially sweetened ice milk, ice milk,* frozen custard, sherbet, water ice or fruit ice, milk products, stabilizer, ~~artificial sweetener,~~ imitation ice cream, and quiescently frozen confections and quiescently frozen dairy confections ~~], and ice milk]~~ in which cases the standards are declared to be as follows:

(b) ~~(i)~~ *(i)* Ice cream means the pure, clean, frozen products made from a combination of "milk products," sugar, dextrose, corn syrup in dry or liquid form, water, with or without egg or egg products, with harmless flavoring and with or without harmless coloring, and with or without added "stabilizer" or "emulsifier" composed of wholesome edible material. It shall contain not more than one half of one per centum by weight of "stabilizer" and not more than one fifth of one per centum by weight of "emulsifier," not less than ten per centum by weight of milk fat, and not less than twenty per centum by weight of total milk solids; except when fruit, nuts, cocoa, chocolate, maple syrup, cakes or confection are used for the purpose of flavoring, then such reduction in milk fat and in total milk solids as is due to the addition of such flavors shall be permitted, but in no such case shall it contain less than eight per centum by weight of milk fat nor less than sixteen per centum by weight of total milk solids. In no case shall any ice cream weigh less than four and one-half pounds per gallon and contain less than one and six-tenths (1.6) pounds of total food solids per gallon.