

*otherwise than in the investigations, been used to a material extent or for a material time, under these conditions.*

*(s) The term "contaminated with filth" applies to any food, drug, device, or cosmetic not securely protected from dust, dirt, and as far as may be necessary by all reasonable means, from all foreign or injurious contaminations.*

*(t) The provisions of this subheading regarding the selling of food, drugs, devices, or cosmetics, shall be considered to include the manufacture, production, processing, packing, exposure, offer, possession, and holding of the article for sale; and the sale, dispensing, and giving of the article, and the supplying or applying of the articles in the conduct of any food, drug, or cosmetic establishment.*

*(u) The term "food additive" means any substance, the intended use of which results or may be reasonably expected to result, directly or indirectly, in its becoming a component or otherwise affecting the characteristics of any food (including any substance intended for use in producing, manufacturing, packing, processing, preparing, treating, packaging, transporting, or holding food; and including any source of radiation intended for any such use) if the substance is not generally recognized, among experts qualified by scientific training and experience to evaluate its safety, as having been adequately shown through scientific procedures (or, in the case of a substance used in a food prior to January 1, 1958, through either scientific procedures or experience based on common use in food) to be safe under the conditions of its intended use; except that the term does not include a color additive.*

*(v) The term "color additive" means a material which; (1) Is a dye, pigment, or other substance made by a process of synthesis or similar artifice, or extracted, isolated, or otherwise derived, with or without intermediate or final change of identity, from a vegetable, animal, mineral, or other source, or (2) When added or applied to a food, drug, or cosmetic, or to the human body or any part thereof, is capable (alone or through reaction with other substance) of imparting color thereto; except that the term does not include any material which has been or hereafter is exempted under the Federal Act. The term "color" includes black, white, and intermediate grays.*

*(w) The term "Federal Act" means the Federal Food, Drug, and Cosmetic Act (Title 21 U.S.C. 301 et seq.), as amended from time to time.*

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*The following acts ~~and the causing thereof~~ within the State of Maryland are hereby prohibited:*

*(1) The manufacture, sale, or delivery, holding or offering for sale of any food, drug, device, or cosmetic that is adulterated or misbranded.*

*(2) The adulteration or misbranding of any food, drug, device, or cosmetic.*

*(3) The receipt in commerce of any food, drug, device, or cosmetic that is adulterated or misbranded, and the delivery or proffered delivery thereof for pay or otherwise.*