

188A.

(a) *Definitions and standards of identity and quality and their amendments, adopted under authority of the Federal Act are the definitions and standards of identity and quality in this State. When in his judgment this action will promote honesty and fair dealing in the interest of consumers, the Secretary may promulgate regulations establishing definitions and standards of identity and quality for foods where no Federal regulations exist. In addition, the Secretary may promulgate regulations which amend any ~~Federal or~~ State regulations which set definitions and standards of identity, and may promulgate regulations which amend any ~~Federal or~~ State Regulations which set standards of quality for foods.*

(b) *Temporary permits now or hereafter granted for interstate shipments varying from the requirements of Federal definitions and standards of identity shall be effective in this State under the conditions provided in the permits. The Secretary may issue permits for variations from the definitions and standards of identity and quality prescribed under this subheading where the issuance of the permits is found to be in the public interest for experimental purposes or otherwise so long as the permits are issued upon terms and conditions and with safeguards that adequately protect the interests of consumers and potential consumers.*

188B.

A food shall be deemed to be adulterated:

(1) (i) *If it bears or contains any poisonous or deleterious substance which would reasonably be expected to render it injurious to health; but in case the substance is not an added substance the food shall not be considered adulterated under this clause if the quantity of the substance in the food does not ordinarily render it injurious to health; or (ii) if it bears or contains any added poisonous or added deleterious substance, other than one which is (A) a food additive; or (B) a color additive, which is unsafe within the meaning of Section 188F(a); or (iii) if it is, or bears, or contains any food additive which is unsafe within the meaning of Section 188F or (iv) if it consists in whole or in part of a diseased, contaminated, filthy, putrid, or decomposed substance, or if it is otherwise unfit for food; or (v) if it has been produced, prepared, packed, or held under insanitary conditions whereby it would reasonably be expected to have become contaminated with filth; or whereby it would reasonably be expected to have been rendered diseased, unwholesome, or injurious to health; or (vi) if its container is composed, in whole or in part, of any poisonous or deleterious substance which would reasonably be expected to render the contents injurious to health; (vii) if it has been intentionally subjected to radiation, unless the use of the radiation was in conformity with a regulation or exemption in effect pursuant to Section 188F of this subheading or Section 409 of the Federal Act.; OR (VIII) IF, AFTER ITS MANUFACTURING OR PROCESSING OR PACKAGING, IT WAS IN A FROZEN STATE AND WAS THEN PERMITTED TO THAW AND WAS THEN SUBSEQUENTLY REFROZEN.*

(2) (i) *If any valuable constituent which would normally be present in such article has been in whole or in part omitted or abstracted therefrom; or (ii) if any substance has been substituted*