

4-206. RESERVED.

PART II. FOOD.

4-207. ADULTERATED FOOD.

(A) APPLICATION OF SECTIONS.

IN ADDITION TO ANY OTHER GROUND THAT MAY BE APPLICABLE UNDER THIS TITLE, A FOOD IS CONSIDERED TO BE ADULTERATED FOR PURPOSES OF THIS SUBTITLE IF THE STANDARDS IN THIS SECTION OR IN § 4-208 OR § 4-209 OF THIS SUBTITLE APPLY.

(B) IN GENERAL.

A FOOD IS ADULTERATED IF:

(1) IT CONTAINS ANY POISONOUS OR OTHERWISE DELETERIOUS SUBSTANCE THAT, IN THE QUANTITY PRESENT, REASONABLY WOULD BE EXPECTED TO MAKE IT INJURIOUS TO HEALTH;

(2) IT CONTAINS ANY ADDED POISONOUS OR ADDED DELETERIOUS SUBSTANCE:

(I) THAT IS NOT A FOOD OR COLOR ADDITIVE;
AND

(II) THE PARTICULAR USE OF WHICH HAS NOT BEEN FOUND SAFE AS PROVIDED UNDER § 4-239 OF THIS SUBTITLE;

(3) IT IS OR CONTAINS ANY FOOD ADDITIVE OR COLOR ADDITIVE THE PARTICULAR USE OF WHICH HAS NOT BEEN FOUND SAFE AS PROVIDED UNDER § 4-239 OF THIS SUBTITLE;

(4) ANY PART OF IT IS A DISEASED, CONTAMINATED, FILTHY, PUTRID, OR DECOMPOSED SUBSTANCE;

(5) IT WAS PRODUCED, PREPARED, PACKED, OR HELD UNDER UNSANITARY CONDITIONS THAT REASONABLY WOULD BE EXPECTED TO HAVE:

(I) CONTAMINATED IT WITH FILTH; OR

(II) CAUSED IT TO BE DISEASED, UNWHOLESOME, OR INJURIOUS TO HEALTH;

(6) ANY PART OF ITS CONTAINER IS COMPOSED OF ANY POISONOUS OR OTHERWISE DELETERIOUS SUBSTANCE THAT REASONABLY WOULD BE EXPECTED TO HAVE CAUSED THE FOOD TO BE INJURIOUS TO HEALTH;

(7) IT HAS BEEN SUBJECTED INTENTIONALLY TO RADIATION, UNLESS THE USE OF THE RADIATION CONFORMS TO THAT ALLOWED BY A RULE OR REGULATION UNDER THE FEDERAL ACT OR UNDER § 4-239 OF THIS SUBTITLE;