

(8) IT PURPORTS TO BE OR IS REPRESENTED FOR SPECIAL DIETARY USES, UNLESS ITS LABEL BEARS THE INFORMATION ABOUT ITS VITAMIN, MINERAL, AND OTHER DIETARY PROPERTIES THAT THE SECRETARY DETERMINES BY A RULE OR REGULATION ADOPTED UNDER § 4-213 OF THIS SUBTITLE TO BE NECESSARY TO INFORM PURCHASERS FULLY OF ITS VALUE FOR THOSE USES;

(9) EXCEPT AS PROVIDED UNDER SUBSECTIONS (C) AND (E) OF THIS SECTION, IT CONTAINS ANY ARTIFICIAL FLAVORING, ARTIFICIAL COLORING, OR CHEMICAL PRESERVATIVE, UNLESS IT BEARS LABELING THAT STATES THAT FACT;

(10) IT IS A COLOR ADDITIVE AND ITS PACKAGING AND LABELING DO NOT CONFORM TO THE APPLICABLE REQUIREMENTS OF THE FEDERAL ACT;

(11) AFTER IT WAS MANUFACTURED, PROCESSED, OR PACKAGED, THE FOOD WAS IN A FROZEN STATE AND IT THEN IS OFFERED FOR SALE IN AN UNFROZEN STATE, UNLESS ITS LABELING CLEARLY AND CONSPICUOUSLY STATES THAT THE FOOD SHOULD NOT BE REFROZEN;

(12) IT IS A PRODUCT THAT:

(I) IS INTENDED TO BE USED AS AN INGREDIENT OF ANOTHER FOOD; AND

(II) IF USED ACCORDING TO THE DIRECTIONS OF THE SUPPLIER, WOULD RESULT IN THE FINAL FOOD PRODUCT BEING ADULTERATED OR MISBRANDED; OR

(13) IT IS OFFERED FOR SALE UNDER THE NAME OF ANOTHER FOOD.

(C) STATUTORY EXEMPTIONS -- ARTIFICIAL COLORING.

AS THEY RELATE TO THE USE OF ARTIFICIAL COLORING, THE PROVISIONS OF SUBSECTIONS (B)(7), (9), AND (10) OF THIS SECTION DO NOT APPLY TO BUTTER, CHEESE, OR ICE CREAM.

(D) SAME -- SPICES, FLAVORINGS, AND COLORINGS.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AND NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (B)(7)(II) OF THIS SECTION, REGARDING THE LABELING REQUIREMENTS FOR A FOOD THAT IS MADE FROM 2 OR MORE INGREDIENTS, SPICES, FLAVORINGS, AND COLORING INGREDIENTS MAY BE DESIGNATED AS "SPICES", "FLAVORINGS", AND "COLORINGS", WITHOUT NAMING EACH SPECIFIC ITEM. HOWEVER, THIS EXCEPTION DOES NOT APPLY IF THE FOOD PRODUCT ITSELF IS SOLD AS A SPICE, FLAVORING, OR FOOD COLORING.

(2) NOTWITHSTANDING THE EXCEPTION FOR FOOD COLORINGS SET FORTH IN PARAGRAPH (1) OF THIS SUBSECTION, A FOOD THAT CONTAINS RED DYE NUMBER 2 IS MISBRANDED IF ITS