

(II) ANY OTHER SUBSTANCE THAT IS FORMED IN OR ON THE ARTICLE BECAUSE OF THE USE OF THE ADDED SUBSTANCE OR COLOR ADDITIVE; AND

(III) THE PURE SUBSTANCE OR ADDITIVE AND ANY INTERMEDIATE OR IMPURITY OF THE SUBSTANCE OR ADDITIVE;

(6) ANY FACT THAT SUPPORTS A CONTENTION THAT THE PROPOSED USE OF THE SUBSTANCE OR ADDITIVE WOULD SERVE A USEFUL PURPOSE; AND

(7) ANY OTHER FACTOR THAT IS RELEVANT TO THE ISSUES OF WHETHER THERE IS A NEED FOR THE USE OF THE SUBSTANCE OR ADDITIVE OR WHETHER THE USE WOULD HARM THE PUBLIC HEALTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, §§ 188F and 191B(c) and (d).

4-240. EFFECTIVE DATE AND PROTEST OF RULES AND REGULATIONS.

(A) EFFECTIVE DATE.

UNLESS A WRITTEN PROTEST IS FILED WITH THE SECRETARY, A RULE OR REGULATION PROPOSED BY THE SECRETARY UNDER THIS SUBTITLE TAKES EFFECT ON THE DATE THE SECRETARY DESIGNATES BUT NOT EARLIER THAN 90 DAYS AFTER PUBLICATION.

(B) PROTEST.

ANY PERSON WHO MAY BE AFFECTED ADVERSELY BY A RULE OR REGULATION THAT IS PROPOSED BY THE SECRETARY UNDER THIS SUBTITLE MAY:

(1) FILE A PROTEST WITHIN 30 DAYS AFTER PUBLICATION OF THE PROPOSED RULE OR REGULATION; AND

(2) REQUEST A HEARING.

REVISOR'S NOTE: This section is new language derived without substantive change from the third, fifth, and sixth sentences of former Article 43, § 191B(f).

4-241. EFFECTIVE DATE AND PROTEST OF STATE ADOPTED FEDERAL RULES AND REGULATIONS.

(A) EFFECTIVE DATE.

UNLESS A WRITTEN PROTEST IS FILED WITH THE SECRETARY, A STATE ADOPTED FEDERAL RULE OR REGULATION TAKES EFFECT IN THIS STATE ON THE DATE THAT IT BECOMES EFFECTIVE AS A FEDERAL RULE OR REGULATION.