

THIS SUBTITLE, THE SECRETARY OBTAINS A SAMPLE OF A FOOD OR DRUG, THE SECRETARY MAY HAVE AN ANALYSIS OR OTHER EXAMINATION MADE IN A LABORATORY OF THE DEPARTMENT TO DETERMINE:

- (1) AS TO A FOOD SAMPLE, WHETHER THE FOOD:
  - (I) IS MISBRANDED;
  - (II) CONTAINS ANY FILTHY, PUTRID, OR DECOMPOSED SUBSTANCE; OR
  - (III) IS OTHERWISE ADULTERATED OR UNFIT FOR FOOD; OR
- (2) AS TO A DRUG SAMPLE, WHETHER THE DRUG:
  - (I) IS ADULTERATED; OR
  - (II) IS MISBRANDED.

(B) COPY OF RESULTS OF ANALYSIS.

THE RESULTS OF AN ANALYSIS OR OTHER EXAMINATION CONDUCTED UNDER THIS SECTION SHALL BE SET FORTH IN A WRITTEN REPORT AND A COPY OF THE REPORT SHALL BE GIVEN PROMPTLY TO THE OWNER, OPERATOR, OR AGENT IN CHARGE OF THE ESTABLISHMENT FROM WHICH THE SAMPLE WAS OBTAINED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Article 43, § 191C(e) and the first and second clauses of § 195.

The third through the sixth clauses of former Article 43, § 195 are deleted as unnecessary. In particular:

- (1) The third clause, which required that an alleged violator be given an opportunity for a hearing, is deleted as unnecessary in light of § 4-255(b) of this subtitle;
- (2) The fourth clause, which related to the reporting of alleged violations to a State's attorney, is deleted as unnecessary in light of § 4-255(a) of this subtitle;
- (3) The fifth clause, which required the State's attorney to institute proceedings and prosecute any case that is referred, is deleted as unnecessary and misleading given the prerogatives of a State's attorney; and
- (4) The sixth clause, which related to