(1)   Tobacco or a tobacco product;

(2)   A commodity that is subject to packaging or labeling requirements imposed under the Federal Insecticide, Fungicide, and Rodenticide Act or the federal Animal Virus, Serum, Toxin, Antitoxin Act;

(3)   A drug that is subject to the provisions of § 353(b)(1) or § 356 of the federal act;

(4)   A beverage that is subject to or complies with packaging or labeling requirements imposed by the Federal Bureau of Alcohol, Tobacco and Firearms; or

(5)   A seed or other commodity that is subject to the provisions of §§ 9–206 through 9–213 of the Agriculture Article.

(e)   (1)   "Cosmetic" means any substance, or any component of a substance, that is intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to the human body for cleansing, beautifying, promoting attractiveness, or altering appearance.

(2)   "Cosmetic" does not include soap.

(f)   "Device" means any instrument, apparatus, or contrivance, or any part or accessory of an instrument, apparatus, or contrivance, that is intended:

(1)   For use in the diagnosis, cure, mitigation, treatment, or prevention of human disease; or

(2)   To affect the structure or any function of the human body for medical, surgical, or therapeutic purposes.

(g)   (1) "Drug" means any substance or component of a substance:

(i)   That is recognized in an official compendium;

(ii)   That is intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings; or

(iii)   Except for food, that is intended to affect the structure or any function of the human body.

(2)   "Drug" does not include a device.

(h)   "Federal act" means the Federal Food, Drug, and Cosmetic Act as that act appears at 21 U.S.C. § 301 et seq.

(i)   "Food" means:

(1)   Any substance that is used as food or drink for human beings or as a component of food or drink for human beings; or

(2)   Chewing gum or any substance that is used as a component of chewing gum.

(j)   (1)   "Food additive" means any substance: