

(B) EXCEPT AS OTHERWISE PROVIDED IN THE ADMINISTRATIVE PROCEDURE ACT, THE DEPARTMENT SHALL GIVE ANY PERSON SERVED WITH AN ORDER UNDER THIS SECTION AN OPPORTUNITY FOR A HEARING BEFORE THE DEPARTMENT.

(C) AFTER A HEARING UNDER THIS SECTION, THE DEPARTMENT MAY AFFIRM, MODIFY, OR WITHDRAW THE ORDER.

4-1215.

(A) A person who violates any provision of Subtitle 2 (MARYLAND FOOD, DRUG, AND COSMETIC ACT) of this title OR ANY REGULATION ADOPTED UNDER SUBTITLE 2 OF THIS TITLE is guilty of a misdemeanor and on conviction is subject to:

(1) A fine not exceeding \$10,000 or imprisonment not exceeding 1 year or both; or

(2) If the person has been convicted once of violating Subtitle 2 of this title, a fine not exceeding \$25,000 or imprisonment not exceeding 3 years or both.

(B) IN ADDITION TO ANY CRIMINAL PENALTIES IMPOSED UNDER THIS SECTION, A PERSON WHO VIOLATES ANY PROVISION OF SUBTITLE 2 OF THIS TITLE, ANY RULE OR REGULATION ADOPTED UNDER SUBTITLE 2 OF THIS TITLE, OR ANY TERM, CONDITION, OR LIMITATION OF ANY LICENSE OR REGISTRATION ISSUED UNDER SUBTITLE 2 OF THIS TITLE:

(1) IS LIABLE FOR SUBJECT TO A CIVIL PENALTY NOT EXCEEDING \$5,000, TO BE COLLECTED IN A CIVIL ACTION IN THE ANY DISTRICT COURT FOR ANY COUNTY; AND

(2) MAY BE ENJOINED FROM CONTINUING THE VIOLATION.

(C) EACH DAY ON WHICH A VIOLATION OCCURS IS A SEPARATE VIOLATION UNDER THIS SECTION.

~~FOR THE PURPOSE OF PROVIDING FOR THE LICENSING AND REGULATION OF food establishments; repealing certain existing duplicative or obsolete provisions of the law regarding the sale of butter and margarine; wheat flour; adulterated candy or lozenges; the sale of ice; the sale of bottled drinking water; the posting of lifesaving charts in restaurants; the sale of tomatoes; tomato juice; vinegar; coffee; with chicory; and products containing methyl and denatured alcohol; the licensing and regulation of soft drinks; cold storage and cold storage warehouses; canneries; frozen food processing plants; crab meat and crab meat plants; shellfish and other miscellaneous food; and food establishment provisions; creating a new subtitle "Subtitle 3, Food Establishments"; defining certain terms; specifying certain food products not regulated by this Act; providing the purpose of this Act; requiring the Department of Health and Mental Hygiene to adopt rules and regulations to carry out the provisions of this Act; allowing certain political~~