

Article 2B - Alcoholic Beverages

Section 1-102(a)(2)

Annotated Code of Maryland

(1998 Replacement Volume and 2000 Supplement)

BY repealing and reenacting, with amendments,

Article - Health - General

Section 21-209

Annotated Code of Maryland

(2000 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 2B - Alcoholic Beverages

1-102.

(a) (1) In this article the following words have the meanings indicated.

(2) (I) "Alcoholic beverages" means alcohol, brandy, whiskey, rum, gin, cordial, beer, ale, porter, stout, wine, cider, and any other spirituous, vinous, malt or fermented liquor, liquid, or compound, by whatever name called, which contains, EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, one-half of one percent or more of alcohol by volume, which is fit for beverage purposes.

(II) "ALCOHOLIC BEVERAGES" DOES NOT INCLUDE A CONFECTIONERY FOOD PRODUCT THAT CONTAINS UP TO 5 PERCENT OF ALCOHOL BY VOLUME AND IS REGULATED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE UNDER § 21-209 OF THE HEALTH - GENERAL ARTICLE.

Article - Health - General

21-209.

(a) In addition to any other ground that may be applicable under § 21-207 or § 21-208 of this subtitle, a confectionery food product is adulterated if:

(1) It contains any nonnutritive object, except as permitted by the rules and regulations adopted under subsection (b)(1) of this section;

(2) It contains any nonnutritive substance other than a safe substance:

(i) That is in or on the confectionery because of some practical functional purpose in the manufacture, packaging, or storing of the confectionery; and

(ii) The use of which does not promote deception of the consumer or otherwise result in any adulteration or misbranding in violation of this subtitle; or

(3) It contains any alcohol:

(i) In excess of [0.5] 5 percent by volume; or