

# HOUSE BILL 1004

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By: **Delegates Alston, Guzzone, Hill, Kipke, J. Long, Lopez, Martinez, Miller, Taveras, and White Holland**

Introduced and read first time: February 6, 2026

Assigned to: Health

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Health – Prohibited Ingredients in Food**

3 FOR the purpose of prohibiting a person from manufacturing, selling, delivering, holding,  
4 or offering for sale in the State food that contains certain ingredients; and generally  
5 relating to ingredients in food.

6 BY repealing and reenacting, without amendments,

7 Article – Health – General

8 Section 21–101(a) and (i) and 21–1215

9 Annotated Code of Maryland

10 (2023 Replacement Volume and 2025 Supplement)

11 BY adding to

12 Article – Health – General

13 Section 21–259.4

14 Annotated Code of Maryland

15 (2023 Replacement Volume and 2025 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

17 That the Laws of Maryland read as follows:

18 **Article – Health – General**

19 21–101.

20 (a) In this title the following words have the meanings indicated.

21 (i) “Food” means:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5 **21-259.4.**

6 **A PERSON MAY NOT MANUFACTURE, SELL, DELIVER, HOLD, OR OFFER FOR**  
7 **SALE FOOD IN THE STATE THAT CONTAINS:**

8 (1) **BROMINATED VEGETABLE OIL (CAS NO. 8016-94-2);**

9 (2) **POTASSIUM BROMATE (CAS NO. 7758-01-2);**

10 (3) **PROPYLPARABEN (CAS NO. 94-13-3);**

11 (4) **RED 3 (CAS NO. 16423-68-0); OR**

12 (5) **ANY OTHER INGREDIENT OR ADDITIVE THAT IS PROHIBITED FOR**  
13 **USE IN FOOD UNDER REGULATIONS ADOPTED BY THE U.S. FOOD AND DRUG**  
14 **ADMINISTRATION OR ANY OTHER FEDERAL LAW OR REGULATION.**

15 21-1215.

16 (a) This section does not apply to a violation of § 21-220(b)(4), § 21-228, or §  
17 21-259.3 of this title.

18 (b) A person who violates any provision of Subtitle 2 of this title or any regulation  
19 adopted under Subtitle 2 of this title is guilty of a misdemeanor and on conviction is subject  
20 to:

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

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

25 (c) In addition to any criminal penalties imposed under this section, a person who  
26 violates any provision of Subtitle 2 of this title, any rule or regulation adopted under  
27 Subtitle 2 of this title, or any term, condition, or limitation of any license or registration  
28 issued under Subtitle 2 of this title:

29 (1) Is subject to a civil penalty not exceeding \$5,000, in an action in any  
30 District Court; and

1                   (2)    May be enjoined from continuing the violation.

2                   (d)    Each day on which a violation occurs is a separate violation under this section.

3                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July

4   1, 2027.