

HOUSE BILL 1004

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By: Delegates Alston, Guzzone, Hill, Kipke, J. Long, Lopez, Martinez, Miller, Taveras, ~~and White Holland~~ White Holland, Bagnall, Cullison, Hutchinson, S. Johnson, Kaufman, M. Morgan, Reilly, Rosenberg, Ross, Szeliga, and Woorman

Introduced and read first time: February 6, 2026

Assigned to: Health

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 1, 2026

CHAPTER _____

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 21-101.

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

3 (i) "Food" means:

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

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

8 **21-259.4.**

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

11 ~~(1) BROMINATED VEGETABLE OIL (CAS NO. 8016-94-2);~~

12 ~~(2) POTASSIUM BROMATE (CAS NO. 7758-01-2);~~

13 ~~(3) PROPYL PARABEN (CAS NO. 94-13-3);~~

14 ~~(4) RED 3 (CAS NO. 16423-68-0); OR~~

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

18 21-1215.

19 (a) This section does not apply to a violation of § 21-220(b)(4), § 21-228, or §
20 21-259.3 of this title.

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

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

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

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

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

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

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2027.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.