

**FOOD SAFETY**  
**State and Federal Standards and Regulations**

***District of Columbia***

**1999**

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## DISTRICT OF COLUMBIA

### Food Regulation

The Director of Public Health is charged with responsibility of administration and enforcement of measures related to food in the District of Columbia.<sup>551</sup>

### Prohibitions

A major provision of the Code is the prohibition against selling, exchanging, delivery, possession with intent to sell or exchange, and exposing or offering for sale or exchange of any adulterated food article.<sup>552</sup> “Food” includes confectionary, condiments, and all articles used for food or drink by man.<sup>553</sup> “Adulterated article” is defined by specific reference to a number of products. For example, cheese is adulterated if not made exclusively from milk or cream. In addition to cheese, specific requirements are mentioned for coffee, lard, tea, vinegar, cider, glucose, flour, bread and olive oil.<sup>554</sup> In no case is a food article considered adulterated if it is mixed with other matter or ingredient not injurious to health and not intended fraudulently to increase its bulk, weight or measure or cancel its inferior quality if the contents are made known to the purchaser.<sup>555</sup>

A specific sanction makes it a violation to manufacture for sale or knowingly sell or offer to sell candy adulterated with “terra alba, barytes, talc, or any mineral substance, by poisonous

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<sup>551</sup> D.C. CODE ANN. § 33-104 (1988).

<sup>552</sup> § 33-101.

<sup>553</sup> § 33-102.

<sup>554</sup> § 33-103(2).

<sup>555</sup> § 33-103(2)(B).

colors, or flavors, or other ingredients deleterious or detrimental to health.”<sup>556</sup> Also, milk, cream, milk products, or frozen desserts must conform to standards (consistent with those of the federal government).<sup>557</sup> Horse meat or food products thereof must be plainly and conspicuously labeled.<sup>558</sup>

## **Enforcement**

The Department of Human Services is authorized to obtain samples for analyzing of any article of food offered for sale or delivery.<sup>559</sup> The Director of Public Health may investigate any complaint for violation of the general prohibitions.<sup>560</sup> Prosecution is in the Superior Court.<sup>561</sup>

One enforcement mechanism related to dairy farms, milk plants, or frozen dessert plants in the District is the requirement of a permit.<sup>562</sup> Moreover, a permit may be suspended if the public health is endangered by impurity or unwholesomeness of any milk, cream, milk product or frozen dessert.<sup>563</sup>

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<sup>556</sup> § 33-201.

<sup>557</sup> § 33-301.

<sup>558</sup> § 33-401.

<sup>559</sup> § 33-106.

<sup>560</sup> § 33-105.

<sup>561</sup> § 33-109.

<sup>562</sup> § 33-303.

<sup>563</sup> § 33-304.