

SENATE BILL 1026

J1, M4

3lr3342
CF HB 1388

By: **Senator Colburn**

Introduced and read first time: February 25, 2013

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Honey – License Exemptions**

3 FOR the purpose of altering the definition of “raw agricultural product” to include
4 honey and herb mixtures and flavored honey; exempting a person that
5 manufactures, processes, and sells honey and herb mixtures or flavored honey
6 from the requirement to obtain an on–farm home processing facility license or
7 permit; and generally relating to honey and herb mixtures and flavored honey.

8 BY repealing and reenacting, with amendments,
9 Article – Health – General
10 Section 21–304(d) and 21–308(c)
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2012 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Health – General
15 Section 21–308(a)
16 Annotated Code of Maryland
17 (2009 Replacement Volume and 2012 Supplement)

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

20 **Article – Health – General**

21 21–304.

22 (d) (1) (i) In this subsection the following words have the meanings
23 indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) "Farmer's market" means a public market in the State
2 where producers of raw agricultural products sell the products directly to the public.

3 (iii) "Raw agricultural product" includes:

4 1. Whole, unprocessed grains, flowers, herbs, nuts,
5 fruits, and vegetables supplied directly from the farm on which they were produced;
6 [and]

7 **2. HONEY AND HERB MIXTURES, INCLUDING**
8 **FLAVORED HONEY; AND**

9 **[2.] 3.** Any agricultural products the Department
10 identifies in regulation.

11 (2) A local jurisdiction may not require a license for the sale of raw
12 agricultural products at a farmer's market or at a public festival or event.

13 21-308.

14 (a) In this section, "on-farm home processing facility" means a home or
15 domestic kitchen located on an individual's farm that manufactures and processes
16 foods for commercial sale.

17 (c) (1) An on-farm home processing facility may obtain an on-farm home
18 processing plant license for a fee established in regulations.

19 (2) An on-farm home processing facility that obtains an on-farm home
20 processing plant license may manufacture or process only foods provided for in
21 regulations of the Department.

22 (3) A license or permit is not required:

23 **(I) [to] TO** deliver prepackaged foods to fill an order of a
24 customer; **OR**

25 **(II) FOR THE MANUFACTURING, PROCESSING, AND SALE OF**
26 **HONEY AND HERB MIXTURES, INCLUDING FLAVORED HONEY.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2013.