

Chapter 598

(Senate Bill 1026)

AN ACT concerning

~~Honey License Exemptions~~ Department of Health and Mental Hygiene – Study of Honey-Related Licenses and Permits

FOR the purpose of ~~altering the definition of “raw agricultural product” to include honey and herb mixtures and flavored honey; exempting a person that manufactures, processes, and sells honey and herb mixtures or flavored honey from the requirement to obtain an on-farm home processing facility license or permit~~ requiring the Department of Health and Mental Hygiene to study whether it is necessary to continue to require a certain license and permit for the sale, manufacturing, and processing of honey and herb mixtures, including flavored honey; requiring the Department to report its findings and recommendations to the General Assembly on or before a certain date; providing for the termination of this Act; and generally relating to a study on license and permit requirements for the sale, manufacturing, and processing of honey and herb mixtures and flavored honey.

~~BY repealing and reenacting, with amendments,
Article – Health – General
Section 21-304(d) and 21-308(e)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

~~BY repealing and reenacting, without amendments,
Article – Health – General
Section 21-308(a)
Annotated Code of Maryland
(2009 Replacement Volume and 2012 Supplement)~~

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

~~Article – Health – General~~

~~21-304.~~

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

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

~~(iii) "Raw agricultural product" includes:~~

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

~~2. HONEY AND HERB MIXTURES, INCLUDING FLAVORED HONEY; AND~~

~~[2.] 3. Any agricultural products the Department identifies in regulation.~~

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

~~21-308.~~

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

~~(e) (1) An on farm home processing facility may obtain an on farm home processing plant license for a fee established in regulations.~~

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

~~(3) A license or permit is not required.~~

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

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

(a) The Department of Health and Mental Hygiene shall study whether it is necessary to continue to require:

(1) a license for the sale of honey and herb mixtures, including flavored honey, at a farmer's market or at a public festival or event; or

(2) an on-farm home processing plant license or permit is necessary for the manufacturing, processing, and sale of honey and herb mixtures, including flavored honey.

(b) On or before December 31, 2013, the Department shall report its findings and recommendations to the General Assembly in accordance with § 2-1246 of the State Government Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ June 1, 2013. It shall remain effective for a period of 1 year and, at the end of May 31, 2014, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2013.