

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1388 (Delegate Haddaway-Riccio, *et al.*)
Health and Government Operations

Finance

Department of Health and Mental Hygiene - Study of Honey-Related Licenses and Permits

This bill requires the Department of Health and Mental Hygiene (DHMH) to study whether (1) it is necessary to continue to require 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. DHMH must report its findings and recommendations to the General Assembly by December 31, 2013.

The bill takes effect June 1, 2013, and terminates May 31, 2014.

Fiscal Summary

State Effect: DHMH can use existing resources to complete the required study, given its limited scope.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: 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. “Raw agricultural product” includes whole, unprocessed grains, flowers, herbs, nuts, fruits, and vegetables supplied directly from the farm on which they were produced (as well as any

agricultural products identified in regulation). “Raw agricultural product” does not specifically include honey. Furthermore, DHMH and the Maryland Department of Agriculture (MDA) indicate that they do not currently inspect or license manufacturers of honey.

A license from DHMH is required for on-farm home processing only if sales from food production exceed \$40,000. The license fee for on-farm food processing is \$30 annually.

However, food processing plants that are inspected by MDA are not required to be licensed by DHMH.

Additional Information

Prior Introductions: None.

Cross File: SB 1026 (Senator Colburn) - Finance.

Information Source(s): Maryland Department of Agriculture, Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - April 1, 2013
ncs/ljm Revised - House Third Reader - April 8, 2013

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