Article - Health - General

§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.

(b) (1) For any license issued for which the authority to conduct a program under this subtitle has been delegated to a county health department:

(i) A county governing body or the Mayor and City Council of Baltimore City may and the Anne Arundel County Council shall provide for a license fee schedule based on the anticipated cost of licensing, inspecting, and regulating food establishments and may provide for exemptions from the license fee schedule; and

(ii) All license fees shall be paid to the local health department or chief financial officer of the county governing body or Baltimore City.

(2) Except in Anne Arundel County, Baltimore City, Montgomery County, and Prince George's County, a license fee under this subsection may not exceed $70 for a seasonal food processing operation that:

(i) Uses only food that is grown on the property of the licensee; and

(ii) Is in operation for not more than a 3–month continuous period in the calendar year.

(3) A seasonal food processing operation may obtain a food establishment license for a fee of $70 under paragraph (2) of this subsection only twice in a calendar year.

(c) (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 to deliver prepackaged foods to fill an order of a customer.

(d) For any other food establishment license, the Secretary shall establish a license fee in accordance with § 2–104 of this article.

(e) Notwithstanding any other provision of this section, a license fee under this section may not exceed $150 annually for a food processing plant that:

(1) Is a bona fide civic or nonprofit organization that processes meat for

human consumption; and

(2) Engages in the processing of meat for human consumption no more than three times a year for 5 days or less each time.