

HOUSE BILL 1106

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8lr1587

By: Delegates Krebs, M. Washington, Afzali, Arentz, Aumann, Glass, Hornberger, S. Howard, Kittleman, Malone, McComas, McConkey, Parrott, Reilly, Rose, Saab, Shoemaker, and West West, Pendergrass, Angel, Cullison, Hill, Kelly, Kipke, Metzgar, Miele, Morales, Morgan, Pena-Melnyk, Platt, Rosenberg, Sample-Hughes, Szeliga, and K. Young

Introduced and read first time: February 7, 2018

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Public Health – Cottage Food Products – Definition**

3 FOR the purpose of altering the definition of “cottage food product” to include certain food
4 sold in the State directly to a consumer from a residence, by personal delivery, or by
5 mail delivery in accordance with certain provisions of law; and generally relating to
6 cottage food products.

7 BY repealing and reenacting, without amendments,
8 Article – Health – General
9 Section 21–301(a) and (b–1)
10 Annotated Code of Maryland
11 (2015 Replacement Volume and 2017 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – Health – General
14 Section 21–301(b–2)
15 Annotated Code of Maryland
16 (2015 Replacement Volume and 2017 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Health – General**

2 21–301.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b–1) “Cottage food business” means a business that:

5 (1) Produces or packages cottage food products in a residential kitchen;

6 (2) Sells the cottage food products in accordance with § 21–330.1 of this
7 subtitle and regulations adopted by the Department; and8 (3) Has annual revenues from the sale of cottage food products in an
9 amount not exceeding \$25,000.10 (b–2) “Cottage food product” means a nonhazardous food, as specified in regulations
11 adopted by the Department, that is sold **IN THE STATE DIRECTLY TO A CONSUMER**
12 **FROM A RESIDENCE**, at a farmer’s market, [or] **AT A public event, BY PERSONAL**
13 **DELIVERY, OR BY MAIL DELIVERY** in accordance with § 21–330.1 of this subtitle and
14 regulations adopted by the Department.15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.