J1 0lr2973

By: Delegates Charkoudian, Bagnall, Carr, Cullison, Korman, Krebs, Metzgar, Morgan, Saab, and Shetty

Introduced and read first time: February 5, 2020 Assigned to: Health and Government Operations

A BILL ENTITLED

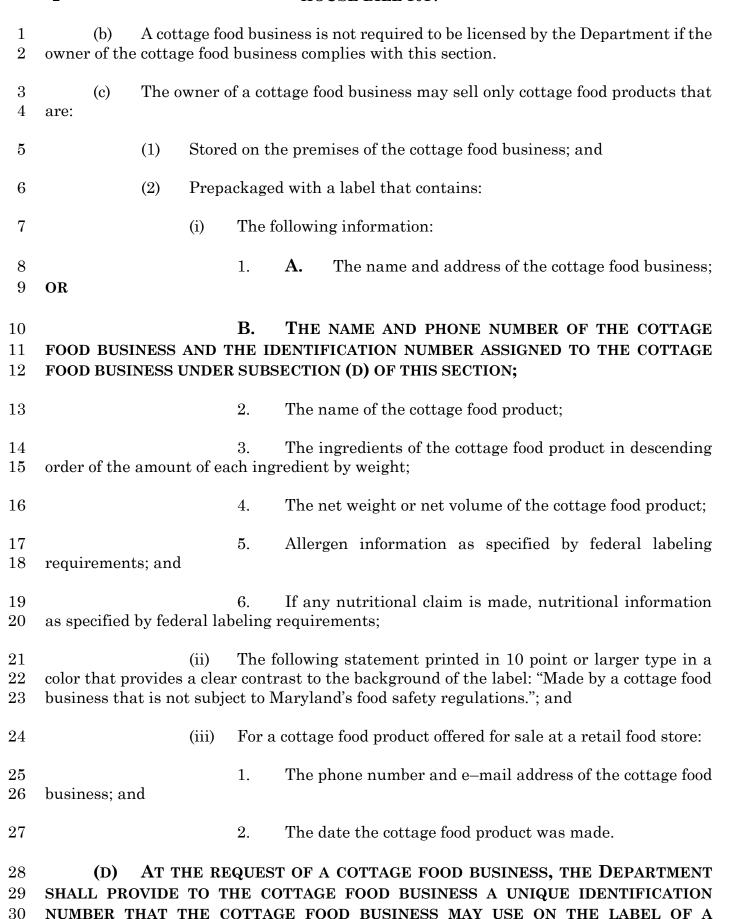
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l	AN	ACT	concerning

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Public Health - Cottage Food Product Labels - Identification Number

- FOR the purpose of altering the required contents of the label with which cottage food products must be prepackaged to allow the inclusion of the phone number of the cottage food business and a certain identification number, rather than the address of the cottage food business; requiring the Maryland Department of Health to provide a certain identification number to a cottage food business on request for a certain purpose; and generally relating to cottage food product labels.
- 9 BY repealing and reenacting, with amendments,
- 10 Article Health General
- 11 Section 21–330.1
- 12 Annotated Code of Maryland
- 13 (2019 Replacement Volume)
- 14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND.
- 15 That the Laws of Maryland read as follows:
- 16 Article Health General
- 17 21–330.1.
- 18 (a) This section does not:
- 19 (1) Apply to a food establishment that is required to have a license under § 20 21–305 of this subtitle; or
- 21 (2) Exempt a cottage food business from any applicable State or federal tax 22 laws.





1 COTTAGE FOOD PRODUCT UNDER SUBSECTION (C) OF THIS SECTION.

- 2 **[(d)] (E)** The owner of a cottage food business shall comply with all applicable county and municipal laws and ordinances regulating the preparation, processing, storage, and sale of cottage food products.
- 5 **[(e)] (F)** (1) The Department may investigate any complaint alleging that a 6 cottage food business has violated this section.
- 7 (2) On receipt of a complaint, a representative of the Department, at a reasonable time, may enter and inspect the premises of a cottage food business to determine compliance with this section.
- 10 (3) The owner of a cottage food business may not:
- 11 (i) Refuse to grant access to a representative who requests to enter 12 and inspect the premises of the cottage food business under paragraph (2) of this subsection; 13 or
- 14 (ii) Interfere with any inspection under paragraph (2) of this 15 subsection.
- 16 (4) An investigation of a cottage food business conducted under this subsection may include sampling of a cottage food product to determine if the cottage food product is misbranded or adulterated.
- 19 **[**(f)**]** (G) Before the owner of a cottage food business may sell a cottage food 20 product to a retail food store, the owner shall submit to the Department:
- 21 (1) Documentation of the owner's successful completion of a food safety 22 course approved by the Department; and
- 23 (2) The label that will be affixed to the cottage food product in accordance 24 with subsection (c)(2) of this section.
- [(g)] (H) Beginning on or before December 30, 2020, and every December 30 thereafter, the Department shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on:
- 29 (1) The documentation and labels submitted under subsection (f) of this 30 section; and
- 31 (2) Any complaints received by the Department related to a cottage food 32 business or cottage food product.

HOUSE BILL 1017

- 1 **[(h)] (I)** The Department shall adopt regulations to carry out this section.
- 2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 3 October 1, 2020.