
**By: Delegates Stull, Beck, D. Hughes, and Snodgrass, Snodgrass, Morhaim, Stup,
Nathan-Pulliam, Elliott, Frush, and Fulton**

Introduced and read first time: February 7, 1996

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 19, 1996

CHAPTER ____

1 AN ACT concerning

2 **Milk Products - Sell-By Period**

3 FOR the purpose of eliminating the authority of the Secretary of Health and Mental
4 Hygiene to review the keeping quality of certain milk products, conduct certain
5 studies, and adopt regulations that establish the maximum length of time certain
6 milk products may be kept for sale; ~~authorizing certain milk processors to determine~~
7 ~~the length of time certain milk products may be kept for sale; eliminating altering~~
8 certain standards regarding the length of time certain milk products may be kept for
9 sale; repealing certain provisions that permit certain milk processors to apply for
10 permission to extend the length of time certain milk products may be kept for sale
11 under certain circumstances; providing for the effective date of this Act; and
12 generally relating to certain milk products and the length of time they may be kept
13 for sale.

14 BY repealing and reenacting, with amendments,
15 Article - Health - General
16 Section 21-426
17 Annotated Code of Maryland
18 (1990 Replacement Volume and 1995 Supplement)

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

2

1 **Article - Health - General**

2 21-426.

3 (a) In this section, "sell-by period" means the length of time a Grade A milk
4 product may be kept for sale.

5 (b) [The Secretary shall:

6 (1) Review from time to time the keeping quality of Grade A milk products
7 by conducting scientific shelf-life studies that recognize different methods of
8 pasteurization; and

9 (2) After holding a public hearing, adopt rules and regulations that establish
10 the maximum sell-by period for each kind of Grade A milk product.] ~~EACH GRADE A~~
11 ~~MILK PROCESSOR SHALL DETERMINE THE SELL-BY PERIOD FOR ITS PRODUCTS.~~

12 ~~(1)~~ (1) After a public hearing, the Secretary shall adopt rules and regulations
13 that establish a method for conspicuously marking, on the Grade A milk product
14 container, the last date on which the product may be sold.

15 (2) Each Grade A milk product container shall be marked as required by
16 rules and regulations adopted under this subtitle.

17 ~~(d)~~ (C) A Grade A milk product that is cooled to, packaged, and stored at
18 45 degrees Fahrenheit or less before it is purchased by or delivered to the ultimate
19 consumer has a sell-by period of ~~7~~ 14 days.

20 (2) If a scientific study justifies a modification of the temperature
21 requirements of this subsection, the Secretary, after a public hearing, may adopt rules and
22 regulations that modify the temperature requirements of this subsection.

23 (e) (1) A Grade A milk processor may apply for permission to extend the
24 sell-by period of a Grade A milk product by not more than 5 days.

25 (2) If an application under this subsection is supported by a scientific study
26 of shelf-life and the study is acceptable to the Secretary, the Secretary shall grant
27 permission to extend the sell-by period by not more than 5 days.]

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 ~~October~~ June 1, 1996.