
By: Senators Craig and Hafer

Introduced and read first time: January 29, 1997

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force on Maryland's Dairy Industry Recommendation - Sell-By Period**

3 FOR the purpose of implementing certain recommendations of the Task Force on
4 Maryland's Dairy Industry; authorizing a certain milk processor to establish a
5 certain sell-by period for certain milk under certain circumstances; requiring a
6 processor establishing a certain sell-by period for certain milk to submit a certain
7 study to the Secretary of Health and Mental Hygiene; and generally relating to the
8 authority of a processor to establish a certain sell-by period.

9 BY repealing and reenacting, with amendments,
10 Article - Health - General
11 Section 21-426
12 Annotated Code of Maryland
13 (1996 Replacement Volume and 1996 Supplement)

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

16 **Article - Health - General**

17 21-426.

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

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

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

25 (c) [A] EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, A Grade
26 A milk product that is cooled to, packaged, and stored at 45 degrees Fahrenheit or less
27 before it is purchased by or delivered to the ultimate consumer has a sell-by period of 14
28 days.

29 (D) (1) A GRADE A MILK PROCESSOR MAY ESTABLISH A SELL-BY PERIOD
30 THAT IS LONGER THAN 14 DAYS.

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1 (2) IF A GRADE A MILK PROCESSOR ESTABLISHES A SELL-BY PERIOD
2 THAT IS LONGER THAN 14 DAYS, THE PROCESSOR SHALL SUBMIT TO THE
3 SECRETARY AN INDICATOR SHELF LIFE STUDY THAT IS ACCEPTABLE TO THE
4 SECRETARY WHICH DEMONSTRATES THAT THE GRADE A MILK PRODUCT HAS A
5 SHELF LIFE EQUAL TO THE SELL-BY PERIOD PLUS AN ADDITIONAL 7 DAYS.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 1997.