
By: Senators Craig and Hafer

Introduced and read first time: January 29, 1997

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: March 12, 1997

CHAPTER ____

1 AN ACT concerning

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

3 Milk Products - Health Standards

4 FOR the purpose of implementing certain recommendations of the Task Force on
5 Maryland's Dairy Industry; authorizing a certain milk processor to establish a
6 certain sell-by period for certain milk under certain circumstances; requiring a
7 processor establishing a certain sell-by period for certain milk to submit a certain
8 study to the Secretary of Health and Mental Hygiene; requiring the Secretary of
9 Health and Mental Hygiene and the Secretary of Agriculture to conduct a study of
10 the feasibility of establishing a standardized test for antibiotics in raw milk;
11 requiring the Secretary of Health and Mental Hygiene to report to the General
12 Assembly on or before a certain date; and generally relating to the authority of a
13 processor to establish a certain sell-by period.

14 BY repealing and reenacting, with amendments,

15 Article - Health - General

16 Section 21-426

17 Annotated Code of Maryland

18 (1996 Replacement Volume and 1996 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) (1) After a public hearing, the Secretary shall adopt rules and regulations
6 that establish a method for conspicuously marking, on the Grade A milk product
7 container, the last date on which the product may be sold.

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

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

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

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

21 SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Health
22 and Mental Hygiene in conjunction with the Secretary of Agriculture shall study the
23 feasibility of establishing a standardized test for antibiotics in raw milk. The study of a
24 standardized testing method shall take into consideration whether the standardized
25 testing method would be acceptable for use in conjunction with the testing standards used
26 in surrounding states, including New York.

27 SECTION 3. AND BE IT FURTHER ENACTED, That the Secretary of Health
28 and Mental Hygiene shall report to the General Assembly on or before October 1, 1998,
29 in accordance with § 2-1312 of the State Government Article, on the study of the
30 feasibility of establishing a standardized test for antibiotics in raw milk.

31 SECTION ~~2-~~ 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
32 October 1, 1997.

