

Department of Legislative Services  
Maryland General Assembly  
2003 Session

FISCAL AND POLICY NOTE  
Revised

House Bill 357

(Delegate Stull, *et al.*)

Health and Government Operations

Education, Health, and Environmental Affairs

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Milk Products - Length of Sell-By Period

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This bill requires the Secretary of Health and Mental Hygiene to adopt regulations that establish the sell-by period for Grade A milk products before they are purchased by or delivered to the ultimate consumer. The bill repeals the requirement for a 14-day sell-by period for these Grade A milk products.

The bill takes effect July 1, 2003.

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Fiscal Summary

**State Effect:** The bill would not materially affect governmental operations or finances.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** After a public hearing, the Secretary of Health and Mental Hygiene must adopt rules and regulations that establish a method for conspicuously marking, on the Grade A milk product container, the last date on which the product may be sold. A 14-day sell-by period is specified.

**Background:** Governor Glendening vetoed a previous version of this bill, HB 845 of 2002, which would have allowed the Secretary to establish a sell-by period of up to 17 days. In his veto message, the Governor stated that the milk product sell-by period

should not be extended for up to three days “until we are absolutely certain that there is no possibility of adverse health impacts.” He also stated that the bill did not include guidance as to what factors the Secretary should consider when setting the sell-by period for milk products.

The International Dairy Foods Association reports that advancements in milk processing and packaging have extended the shelf life of milk. According to the association, traditionally pasteurized and packaged milk products usually last 18 to 21 days. Other forms of pasteurization can extend the shelf life of milk products even further.

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### **Additional Information**

**Prior Introductions:** A similar bill, HB 845, was introduced during the 2002 session. The bill passed in the House and Senate but was vetoed by the Governor.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene; International Dairy Foods Association; Governor Glendening HB 845 veto message, May 15, 2002; Department of Legislative Services

**Fiscal Note History:** First Reader - February 10, 2003  
mam/jr Revised - Enrolled Bill - April 14, 2003

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