

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 375 (Senator Astle)
Education, Health, and Environmental Affairs

Food Establishments - Processing of Venison - Inspections

This bill exempts a food establishment at which lawfully obtained venison is processed for donation to the needy from inspection by the Department of Health and Mental Hygiene (DHMH). Lawfully obtained venison that will be donated to the needy is exempt from inspection and handling procedures applicable to food donated to a nonprofit entity.

Fiscal Summary

State Effect: The bill would not materially affect State activities or finances.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: Chapter 177 of 2002 requires the Department of Natural Resources (DNR) to use \$1 from the sale of each resident regular and full season nonresident hunting license to provide funding for the processing of deer for donation to the needy.

A DHMH representative may, at any reasonable time, enter and inspect a food establishment and inspect and sample any food item in that establishment. A person may not refuse to grant access to an inspector or interfere with the inspection.

DHMH and the Maryland Department of Agriculture may inspect any food for wholesomeness that is donated to a nonprofit corporation, organization, or association.

They also may establish procedures for handling food donated to any nonprofit corporation, organization, or association. A nonprofit corporation, organization, or association has immunity from liability for any act or omission that affects the nature, age, condition, or packaging of donated food.

Background: In calendar 2003, 2,400 deer were donated to Maryland's Farmers and Hunters Feeding the Hungry program. As a result, 60 tons of meat was donated to people throughout the State.

Additional Information

Prior Introductions: None.

Cross File: HB 895 (Delegate Boutin, *et al.*) – Health and Government Operations.

Information Source(s): Department of Natural Resources, Farmers and Hunters Feeding the Hungry, Department of Health and Mental Hygiene, Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2004
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