

**Department of Legislative Services**  
Maryland General Assembly  
2007 Session

**FISCAL AND POLICY NOTE**

House Bill 1010 (Delegate Love, *et al.*)  
Health and Government Operations

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**Milk Products - Direct Sale to Consumer - Exemption from Regulation**

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This bill exempts the sale of milk and milk products by milk producers (an operator of a dairy farm) directly to the final consumer from regulations governing the production, processing, labeling, and distribution of milk products in the State. The exemption does not apply to restaurant, retail, commercial, wholesale, or other sales of milk and milk products to subsequent buyers.

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**Fiscal Summary**

**State Effect:** None. The bill would materially affect State finances.

**Local Effect:** None.

**Small Business Effect:** Minimal.

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**Analysis**

**Current Law:** The General Assembly has determined that statewide laws, rules, and regulations are needed to govern the production, processing, labeling, and distribution of milk products in the State. The Department of Health and Mental Hygiene (DHMH) is authorized to regulate milk and milk products under Title 21, Subtitle 4 of the Health – General Article.

Any milk product that is produced, processed, and manufactured may be sold in the State provided it is compliance with specified rules and regulations under COMAR 10.15.09.

**Background:** Raw milk or milk products have not gone through the pasteurization process to make the milk or milk product free of pathogens.

DHMH advises that consuming raw milk can increase the risk of diseases such as salmonella, campylobacter, and infections linked to unpasteurized milk such as e.coli 0157:H7, listeria monocytogenes, and yersinia enterocolitica

DHMH is unable to determine how many producers of raw milk or milk products would decide to sell these products directly to consumers as a result of this bill.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene, Department of Legislative Services

**Fiscal Note History:** First Reader - March 13, 2007  
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