

# HOUSE BILL 147

J1  
HB 1010/07 – HGO

8lr1160

---

By: **Delegates Kipke, Aumann, Dwyer, Gaines, George, Hubbard, Ivey, Jennings, King, Kullen, Love, McDonough, Shank, Smigiel, Stocksdale, and Weldon**

Introduced and read first time: January 18, 2008  
Assigned to: Health and Government Operations

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Milk Products – Direct Sale to Consumer – Exemption from Regulation**

3 FOR the purpose of exempting from certain regulation the sale of milk and milk  
4 products from certain producers directly to the final consumer; establishing that  
5 the exemption does not apply to certain sales of milk and milk products;  
6 providing that the prohibition on the sale of raw milk for human consumption is  
7 subject to the exemption; and generally relating to the regulation of the sale of  
8 milk and milk products for human consumption.

9 BY repealing and reenacting, with amendments,  
10 Article – Health – General  
11 Section 21–403 and 21–434  
12 Annotated Code of Maryland  
13 (2005 Replacement Volume and 2007 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 21–403.

18 (A) This subtitle applies only to milk products that are intended for sale for  
19 immediate or eventual human consumption.

20 (B) (1) **THE SALE OF MILK AND MILK PRODUCTS FROM MILK**  
21 **PRODUCERS DIRECTLY TO THE FINAL CONSUMER IS EXEMPT FROM**  
22 **REGULATION UNDER THIS SUBTITLE.**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1                   **(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO**  
2 **RESTAURANT, RETAIL, COMMERCIAL, WHOLESALE, OR OTHER SALES OF MILK**  
3 **AND MILK PRODUCTS TO A SUBSEQUENT BUYER.**

4 21-434.

5           [Except] **SUBJECT TO § 21-403(B) OF THIS SUBTITLE AND EXCEPT** for sale  
6 of raw milk by a holder of a milk producer permit to a holder of a milk processor  
7 permit or the sale of a farmstead cheese, a person may not sell raw milk for human  
8 consumption.

9           **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect  
10 October 1, 2008.