

# HOUSE BILL 1542

J1, M4

9lr3001

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By: **Delegate Haddaway**

Introduced and read first time: March 9, 2009

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health – Regulation and Permitting of Egg Sellers at Farmers’ Markets**

3 FOR the purpose of making an exception to the authority of the Secretary of Health  
4 and Mental Hygiene to regulate the distribution in the State of a certain food;  
5 requiring, for certain purposes, that a person selling eggs at a farmers’ market  
6 be treated by the Department of Health and Mental Hygiene or a local health  
7 department the same as if the person were selling the eggs from the farm on  
8 which the eggs were produced; defining certain terms; and generally relating to  
9 the regulation and permitting of egg producers selling eggs at farmers’ markets.

10 BY repealing and reenacting, with amendments,  
11 Article – Health – General  
12 Section 21–211(a)  
13 Annotated Code of Maryland  
14 (2005 Replacement Volume and 2008 Supplement)

15 BY adding to  
16 Article – Health – General  
17 Section 21–211.1  
18 Annotated Code of Maryland  
19 (2005 Replacement Volume and 2008 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
21 MARYLAND, That the Laws of Maryland read as follows:

22 **Article – Health – General**

23 21–211.

24 (a) [By] **EXCEPT AS PROVIDED IN § 21–211.1 OF THIS SUBTITLE, BY** the  
25 issuance, denial, or suspension of permits as provided in this section, the Secretary

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 may regulate the distribution in this State of any class of food that may be  
2 contaminated with microorganisms.

3 **21-211.1.**

4 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
5 MEANINGS INDICATED.

6 (2) "FARMERS' MARKET" MEANS A PUBLIC MARKET IN THE  
7 STATE WHERE PRODUCERS OF FRESH RAW AGRICULTURAL PRODUCTS SELL  
8 THE PRODUCTS DIRECTLY TO THE PUBLIC.

9 (3) "RAW AGRICULTURAL PRODUCTS" INCLUDES EGGS, GRAINS,  
10 FLOWERS, FRUITS, AND VEGETABLES SUPPLIED DIRECTLY FROM THE FARM ON  
11 WHICH THEY WERE PRODUCED.

12 (B) FOR PURPOSES OF REGULATION AND PERMITTING BY THE  
13 DEPARTMENT OF HEALTH AND MENTAL HYGIENE OR A LOCAL HEALTH  
14 DEPARTMENT, A PERSON SELLING EGGS AT A FARMERS' MARKET SHALL BE  
15 TREATED THE SAME AS IF THE PERSON WERE SELLING THE EGGS ON THE FARM  
16 AT WHICH THE EGGS WERE PRODUCED.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2009.