

SENATE BILL 82

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01r0042

(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Agriculture)**

Requested: September 24, 2009

Introduced and read first time: January 13, 2010

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Commercial Feed Law – Definitions – Prohibition on Sale**

3 FOR the purpose of prohibiting a person from adulterating or misbranding a
4 commercial feed, distributing, removing, or disposing of a commercial feed
5 under certain circumstances, or altering certain labels; altering certain
6 definitions; and generally relating to the sale of feed under the Maryland
7 Commercial Feed Law.

8 BY repealing and reenacting, without amendments,
9 Article – Agriculture
10 Section 6–101(a)
11 Annotated Code of Maryland
12 (2007 Replacement Volume and 2009 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Agriculture
15 Section 6–101(b) and (d)
16 Annotated Code of Maryland
17 (2007 Replacement Volume and 2009 Supplement)

18 BY adding to
19 Article – Agriculture
20 Section 6–112.1
21 Annotated Code of Maryland
22 (2007 Replacement Volume and 2009 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1

Article – Agriculture

2 6–101.

3 (a) In this subtitle the following words have the meanings indicated.

4 (b) A commercial feed is “adulterated” if:

5 (1) [Any poisonous, deleterious, or nonnutritive ingredient is added in
6 sufficient amount to render it injurious to health when fed in accordance with
7 directions for use on the label] **THE FEED CONTAINS ANY POISONOUS OR**
8 **DELETERIOUS SUBSTANCE THAT MAY RENDER THE FEED INJURIOUS TO HUMAN**
9 **OR ANIMAL HEALTH, EXCEPT WHEN THE SUBSTANCE IS NOT ADDED TO THE**
10 **FEED AND THE QUANTITY OF THE SUBSTANCE DOES NOT ORDINARILY RENDER**
11 **IT INJURIOUS TO HUMAN OR ANIMAL HEALTH;**

12 (2) A valuable constituent is omitted or abstracted wholly or partially
13 from it or any less valuable substance is substituted for it;

14 (3) Its composition or quality falls below or differs from that which it
15 is purported or is represented to possess by its labeling; [or]

16 (4) [It contains added hulls, screenings, straw, cobs, or other high fiber
17 material, unless the name of each material is stated on the label.] **THE FEED**
18 **CONTAINS ANY ADDED POISONOUS, ADDED DELETERIOUS, OR ADDED**
19 **NONNUTRITIVE SUBSTANCE WHICH IS UNSAFE;**

20 (5) **THE FEED CONSISTS, IN WHOLE OR PART, OF ANY FILTHY,**
21 **PUTRID, OR DECOMPOSED SUBSTANCE, OR IS OTHERWISE UNFIT FOR FEED; OR**

22 (6) **THE FEED HAS BEEN PREPARED, PACKED, OR HELD UNDER**
23 **UNSANITARY CONDITIONS WHERE THE FEED MAY HAVE BECOME**
24 **CONTAMINATED WITH FILTH OR RENDERED INJURIOUS TO HUMAN OR ANIMAL**
25 **HEALTH.**

26 (d) “Commercial feed” means [a material which is distributed for use as feed
27 or for mixing in feed for any animal, other than man, except:

28 (1) Unmixed and unprocessed whole seeds or meal made directly from
29 the entire seeds;

30 (2) Unground hay; or

31 (3) Whole or ground straw, stover, silage, cobs, and hulls not mixed
32 with any other material.] **A MATERIAL OR COMBINATION OF MATERIALS**
33 **DISTRIBUTED, OR INTENDED FOR DISTRIBUTION, FOR USE AS FEED, OR FOR**

1 MIXING IN FEED FOR ANY ANIMAL OTHER THAN MAN INCLUDING FEED
2 PREPARED AND DISTRIBUTED FOR CONSUMPTION BY DOGS AND CATS, OR ANY
3 DOMESTICATED ANIMAL NORMALLY MAINTAINED IN A CAGE OR TANK,
4 INCLUDING GERBILS, HAMSTERS, CANARIES, PSITTACINE BIRDS, MYNAHS,
5 FINCHES, TROPICAL FISH, GOLDFISH, SNAKES, AND TURTLES, EXCEPT:

6 (1) UNMIXED WHOLE SEEDS AND PHYSICALLY ALTERED ENTIRE
7 UNMIXED SEEDS THAT ARE NOT CHEMICALLY ALTERED OR ADULTERATED; OR

8 (2) COMMODITIES SUCH AS HAY, STRAW, STOVER, SILAGE, COBS,
9 HUSKS, HULLS, AND INDIVIDUAL CHEMICAL COMPOUNDS OR SUBSTANCES
10 WHEN THE COMMODITIES, COMPOUNDS, OR SUBSTANCES ARE NOT INTERMIXED
11 WITH OTHER MATERIALS OR ADULTERATED.

12 **6-112.1.**

13 **A PERSON MAY NOT:**

14 (1) ADULTERATE OR MISBRAND A COMMERCIAL FEED;

15 (2) DISTRIBUTE A COMMERCIAL FEED THAT IS NOT REGISTERED
16 WITH THE DEPARTMENT;

17 (3) REMOVE OR DISPOSE OF A COMMERCIAL FEED IN VIOLATION
18 OF A "STOP SALE" ORDER ISSUED UNDER § 6-113 OF THIS SUBTITLE; OR

19 (4) DETACH, ALTER, DEFACE, OR DESTROY, WHOLLY OR
20 PARTIALLY, ANY LABEL OR LABELING REQUIRED UNDER THIS SUBTITLE OR
21 DEPARTMENT REGULATIONS.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2010.