

SENATE BILL 82

M4

0lr0042

(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

Committee Report: Favorable

Senate action: Adopted

Read second time: February 9, 2010

CHAPTER _____

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Annotated Code of Maryland
2 (2007 Replacement Volume and 2009 Supplement)

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

5 **Article – Agriculture**

6 6–101.

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

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

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

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

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

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

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

26 (6) **THE FEED HAS BEEN PREPARED, PACKED, OR HELD UNDER**
27 **UNSANITARY CONDITIONS WHERE THE FEED MAY HAVE BECOME**
28 **CONTAMINATED WITH FILTH OR RENDERED INJURIOUS TO HUMAN OR ANIMAL**
29 **HEALTH.**

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

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

1 (2) Unground hay; or

2 (3) Whole or ground straw, stover, silage, cobs, and hulls not mixed
3 with any other material.] **A MATERIAL OR COMBINATION OF MATERIALS**
4 **DISTRIBUTED, OR INTENDED FOR DISTRIBUTION, FOR USE AS FEED, OR FOR**
5 **MIXING IN FEED FOR ANY ANIMAL OTHER THAN MAN INCLUDING FEED**
6 **PREPARED AND DISTRIBUTED FOR CONSUMPTION BY DOGS AND CATS, OR ANY**
7 **DOMESTICATED ANIMAL NORMALLY MAINTAINED IN A CAGE OR TANK,**
8 **INCLUDING GERBILS, HAMSTERS, CANARIES, PSITTACINE BIRDS, MYNAHS,**
9 **FINCHES, TROPICAL FISH, GOLDFISH, SNAKES, AND TURTLES, EXCEPT:**

10 **(1) UNMIXED WHOLE SEEDS AND PHYSICALLY ALTERED ENTIRE**
11 **UNMIXED SEEDS THAT ARE NOT CHEMICALLY ALTERED OR ADULTERATED; OR**

12 **(2) COMMODITIES SUCH AS HAY, STRAW, STOVER, SILAGE, COBS,**
13 **HUSKS, HULLS, AND INDIVIDUAL CHEMICAL COMPOUNDS OR SUBSTANCES**
14 **WHEN THE COMMODITIES, COMPOUNDS, OR SUBSTANCES ARE NOT INTERMIXED**
15 **WITH OTHER MATERIALS OR ADULTERATED.**

16 **6-112.1.**

17 **A PERSON MAY NOT:**

18 **(1) ADULTERATE OR MISBRAND A COMMERCIAL FEED;**

19 **(2) DISTRIBUTE A COMMERCIAL FEED THAT IS NOT REGISTERED**
20 **WITH THE DEPARTMENT;**

21 **(3) REMOVE OR DISPOSE OF A COMMERCIAL FEED IN VIOLATION**
22 **OF A “STOP SALE” ORDER ISSUED UNDER § 6-113 OF THIS SUBTITLE; OR**

23 **(4) DETACH, ALTER, DEFACE, OR DESTROY, WHOLLY OR**
24 **PARTIALLY, ANY LABEL OR LABELING REQUIRED UNDER THIS SUBTITLE OR**
25 **DEPARTMENT REGULATIONS.**

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