

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 1167 (Carroll County Delegation)
Health and Government Operations

Finance

Carroll County - Homemade Food Sales - County Parks and Facilities

This bill authorizes a county-owned and -operated park or facility in Carroll County that is hosting a public festival, to sell jellies, jams, preserves, fruit butters, fruit pies, and honey. In addition, the bill expands the food items that a religious organization in the county may sell to include honey. An organization, park, or facility must comply with Department of Health and Mental Hygiene (DHMH) health and safety standards.

Fiscal Summary

State Effect: DHMH advises it already inspects these events and any increase in staff time to monitor compliance under the bill's provisions is expected to be negligible.

Local Effect: Revenues and expenditures associated with the sale of homemade goods during public festivals are expected to be minimal.

Small Business Effect: None.

Analysis

Current Law: In Carroll County, a bona fide religious organization may offer for sale or sell certain homemade-style foods if they are produced at the organization and meet appropriate DHMH health and safety standards. Foods that may be offered for sale include jellies, jams, preservatives, fruit butter, and fruit pies. The organization must meet the requirements of an excluded organization under the Health-General Article.

An excluded organization includes a bona fide religious organization that does not serve food to the public more often than four days per week, except that once a year an

organization may serve food to the public for up to 14 consecutive days. An excluded organization may operate a food establishment without a DHMH license, unless the organization is licensed under a voluntary licensing system.

Background: The Carroll County Department of Parks and Recreations advises the Apple Festival held at Piney Run Park would be affected under this bill. Volunteers would make apple dumplings and apple pies at the Piney Run Nature Center and then sell them at the festival. Additionally, the Carroll County Farm Museum would be permitted to sell certain homemade food items in its gift shop during festivals such as the Music and Arts Festival and the Maryland Wine Festival.

Additional Information

Prior Introductions: None.

Cross File: SB 923 (Carroll County Senators) - Finance.

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

Fiscal Note History: First Reader - March 14, 2010
mpc/mwc

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