

HB0809/990913/1

BY: Environmental Matters Committee

AMENDMENTS TO HOUSE BILL 809
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “and Valderrama” and substitute “Valderrama, Cane, and Hogan”; in line 2, after “Agriculture -” insert “Maryland Standard of Identity for”; in line 2, strike “- Labeling”; strike beginning with “prohibiting” in line 3 down through “meets” in line 4, and substitute “establishing”; in line 4, after “standard” insert “of identity for honey; requiring the standard to be applied to certain products; authorizing the designation of certain products as honey; requiring certain products to be distinguished from pure honey under certain circumstances”; strike beginning with “authorizing” in line 4 down through “examination;” in line 10; in line 11, strike “an” and substitute “a certain”; in the same line, after “court;” insert “clarifying that, notwithstanding certain provisions of law, the Department of Agriculture is not required to enforce the requirements of this Act;”; in line 12, strike “providing that certain damages may not exceed a certain amount;”; in the same line, after “defining” insert “a”; in line 13, strike “terms” and substitute “term”; in the same line, strike “the regulation of the sale of” and substitute “establishing a standard of identity for”; in line 13, after “honey” insert “in Maryland”; in line 16, strike “10-1804” and substitute “10-1807”; and in line 17, strike “Products Sold as” and substitute “Standard of Identity for”.

AMENDMENT NO. 2

On page 1, in line 23, strike “**PRODUCTS SOLD AS**” and substitute “**STANDARD OF IDENTITY FOR**”.

On page 2, strike beginning with the first “**THE**” in line 1 down through “**PRODUCT**” in line 9 and substitute “**“HONEY” MEANS THE NATURAL FOOD PRODUCT THAT:**”

(Over)

(1) RESULTS FROM THE HARVEST OF NECTAR BY HONEY BEES AND THE NATURAL ACTIVITIES OF THE HONEY BEES IN PROCESSING NECTAR;

(2) CONSISTS ESSENTIALLY OF DIFFERENT SUGARS, PREDOMINANTLY FRUCTOSE AND GLUCOSE, AND OTHER SUBSTANCES, INCLUDING ORGANIC ACIDS, ENZYMES, AND SOLID PARTICLES DERIVED FROM HONEY COLLECTION;

(3) HAS THE COLOR WHICH MAY VARY FROM NEARLY COLORLESS TO DARK BROWN;

(4) HAS THE CONSISTENCY WHICH MAY BE FLUID, VISCOUS, OR PARTLY TO ENTIRELY CRYSTALLIZED; AND

(5) HAS THE FLAVOR AND AROMA WHICH ARE DERIVED FROM THE PLANT OF ORIGIN AND MAY VARY”;

and strike in their entirety lines 10 through 30, inclusive, and substitute:

“10-1802.

THERE IS A MARYLAND STANDARD OF IDENTITY FOR HONEY.

10-1803.

THE MARYLAND STANDARD OF IDENTITY FOR HONEY SHALL APPLY TO:

(1) ALL HONEY PRODUCED BY HONEY BEES FROM NECTAR;

(2) ALL STYLES OF HONEY PRESENTATION THAT ARE PROCESSED AND ULTIMATELY INTENDED FOR DIRECT CONSUMPTION; AND

(3) ALL HONEY PACKED, PROCESSED, OR INTENDED FOR SALE IN BULK CONTAINERS AS HONEY THAT MAY BE REPACKED FOR RETAIL SALE OR USE AS AN INGREDIENT IN OTHER FOODS.

10-1804.

(A) A PRODUCT MEETS THE MARYLAND STANDARD OF IDENTITY FOR HONEY IF THE PRODUCT:

(1) DOES NOT CONTAIN ANY SUBSTANCE OTHER THAN HONEY, INCLUDING ANY FOOD ADDITIVE AS DEFINED IN § 21-101 OF THE HEALTH – GENERAL ARTICLE;

(2) HAS NOT BEGUN TO FERMENT OR EFFERVESCE;

(3) HAS NOT HAD ANY POLLEN OR CONSTITUENT UNIQUE TO HONEY REMOVED, UNLESS THE REMOVAL WAS UNAVOIDABLE IN CONJUNCTION WITH THE REMOVAL OF FOREIGN MATTER;

(4) HAS NOT BEEN SUBJECTED TO CHEMICAL OR BIOCHEMICAL TREATMENTS USED TO INFLUENCE HONEY CRYSTALLIZATION;

(5) HAS NOT HAD ANY WATER ADDED TO THE PRODUCT IN THE COURSE OF EXTRACTION OR PACKING FOR SALE OR RESALE AS HONEY;

(6) DOES NOT HAVE A MOISTURE CONTENT GREATER THAN 23%;

(Over)

(7) HAS A RATIO OF FRUCTOSE TO GLUCOSE GREATER THAN 0.9%;

(8) HAS A TOTAL AMOUNT OF FRUCTOSE AND GLUCOSE EQUAL TO AT LEAST 60 GRAMS PER 100 GRAMS; AND

(9) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, HAS A SUCROSE CONTENT NO GREATER THAN 5 GRAMS PER 100 GRAMS.

(B) (1) THE SUCROSE CONTENT OF THE FOLLOWING TYPES OF HONEY MAY NOT BE GREATER THAN 10 GRAMS PER 100 GRAMS:

(I) ALFALFA (MEDICAGO SATIVA);

(II) CITRUS SPP.;

(III) FALSE ACACIA (ROBINIA PSEUDOACACIA);

(IV) FRENCH HONEYSUCKLE (HEDYSARUM);

(V) MENZIES BANKSIA (BANKSIA MENZIESII);

(VI) RED GUM (EUCALYPTUS CAMALDULENSIS);

(VII) LEATHERWOOD (EUCRYPHIA LUCIDA); AND

(VIII) EUCRYPHIA MILLIGANI.

(2) THE SUCROSE CONTENT OF THE FOLLOWING TYPES OF HONEY MAY NOT BE GREATER THAN 15 GRAMS PER 100 GRAMS:

(I) LAVENDER (LAVANDULA SPP); AND

(II) BORAGE (BORAGO OFFICINALIS).

10-1805.

(A) A PERSON MAY DESIGNATE A FOOD PRODUCT AS “HONEY” IF THE PRODUCT CONFORMS TO THE STANDARD OF IDENTITY FOR HONEY SET FORTH IN § 10-1804 OF THIS SUBTITLE.

(B) IF A FOOD PRODUCT CONTAINS ANY FLAVORING, SPICE, OR OTHER INGREDIENT IN ADDITION TO HONEY, THE NAME OF THE PRODUCT SHALL DISTINGUISH THE PRODUCT FROM PURE HONEY AND DESIGNATE THE FOOD ADDITIVE.

(C) IF PROCESSING MATERIALLY CHANGES THE FLAVOR, COLOR, VISCOSITY, OR OTHER MATERIAL CHARACTERISTIC OF PURE HONEY, THE NAME OF THE PRODUCT SHALL DISTINGUISH THE PRODUCT FROM PURE HONEY AND DESIGNATE THE MODIFICATION.

(D) THE DESIGNATION OF HONEY THAT COMES PREDOMINANTLY FROM A FLORAL OR OTHER PLANT SOURCE AND HAS THE ORGANOLEPTIC, PHYSICOCHEMICAL, AND MICROSCOPIC PROPERTIES CORRESPONDING WITH THAT ORIGIN, MAY USE THE COMMON OR BOTANICAL NAME OF THE SOURCE IN CONJUNCTION WITH THE WORD “HONEY”.

(Over)

(E) HONEY STORED BY BEES IN THE CELLS OF FRESHLY BUILT BROODLESS COMBS AND SOLD IN SEALED WHOLE COMBS OR SECTIONS OF COMBS MAY BE DESIGNATED AS “COMB HONEY”.

(F) HONEY CONTAINING ONE OR MORE PIECES OF COMB HONEY MAY BE DESIGNATED AS “CUT COMB HONEY”, “HONEY WITH COMB”, OR “CHUNK HONEY”.;

and in line 31, strike “**10-1804.**” and substitute “**10-1806.**”.

On page 3, in line 1, strike “(A)”; in line 2, strike “AN” and substitute “**A CIVIL**”; strike in their entirety lines 4 and 5, and substitute:

“**10-1807.**”

NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE RELATING TO THE EXERCISE OF THE DEPARTMENT’S ENFORCEMENT AUTHORITY, THE DEPARTMENT IS NOT REQUIRED TO ENFORCE THE REQUIREMENTS OF THIS SUBTITLE.”.