

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 526

(Senator Bates)

Education, Health, and Environmental Affairs

Environment and Transportation

Agriculture - Commercial Feed - Exemption

This bill excludes from the definition of “commercial feed” under the Maryland Commercial Feed Law a material or combination of materials that is exempt from the definition of commercial feed in regulations adopted by the Secretary of Agriculture; this exempts such a material or combination of materials from regulation under that law.

The bill takes effect July 1, 2016.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances. Any impact depends on the regulations adopted under the bill.

Local Effect: None.

Small Business Effect: Potential meaningful.

Analysis

Current Law/Background: The Maryland Department of Agriculture’s (MDA) State Chemist Section (SCS) administers the Maryland Commercial Feed Law. Under the Maryland Commercial Feed Law, SCS must sample, inspect, test, and make analyses of commercial feed distributed in the State to the extent considered necessary to ensure compliance with the law. A distributor generally must register each brand name or product name of commercial feed before distributing it in the State, unless it has been registered by another person and the product label has not been altered or changed. The registration application must include label information which, for commercial feed other than specified

customer-formula feed or contract feed, must include a guaranteed analysis of the commercial feed. The registration fee is \$50 and fee revenues are deposited in the State Chemist Fund.

Pursuant to the Maryland Commercial Feed Law and MDA regulations, there is an assessment of \$2 per ton on commercial equine feed sold in the State that is paid into the Maryland Horse Industry Fund and used for education, research, and promotional materials and activities intended to benefit the Maryland equine industry.

MDA indicates that 14,959 commercial feeds were registered in fiscal 2015.

Small Business Effect: Small businesses may meaningfully benefit from the exemption of a material or combination of materials from the definition of commercial feed, making that material or combination of materials not subject to regulation under the Maryland Commercial Feed Law. Any impact depends on the regulations adopted by MDA under the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Agriculture, Department of Legislative Services

Fiscal Note History: First Reader - February 29, 2016
kb/lgc Revised - Senate Third Reader - March 28, 2016

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