

Chapter 491

**(House Bill 1106)**

AN ACT concerning

**Public Health – Cottage Food Products – Definition**

FOR the purpose of altering the definition of “cottage food product” to include certain food sold in the State directly to a consumer from a residence, by personal delivery, or by mail delivery in accordance with certain provisions of law; and generally relating to cottage food products.

BY repealing and reenacting, without amendments,  
Article – Health – General  
Section 21–301(a) and (b–1)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,  
Article – Health – General  
Section 21–301(b–2)  
Annotated Code of Maryland  
(2015 Replacement Volume and 2017 Supplement)

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

**Article – Health – General**

21–301.

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

(b–1) “Cottage food business” means a business that:

(1) Produces or packages cottage food products in a residential kitchen;

(2) Sells the cottage food products in accordance with § 21–330.1 of this subtitle and regulations adopted by the Department; and

(3) Has annual revenues from the sale of cottage food products in an amount not exceeding \$25,000.

(b–2) “Cottage food product” means a nonhazardous food, as specified in regulations adopted by the Department, that is sold **IN THE STATE DIRECTLY TO A CONSUMER**

**FROM A RESIDENCE**, at a farmer's market, **[or]** **AT A** public event, **BY PERSONAL DELIVERY, OR BY MAIL DELIVERY** in accordance with § 21-330.1 of this subtitle and regulations adopted by the Department.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

**Approved by the Governor, May 8, 2018.**