

SENATE BILL 290

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9lr0939
CF 9lr1574

By: **Senator Smith**

Introduced and read first time: January 29, 2019

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering the definition of “cottage food product” to include certain food
4 sold in the State to retail food stores or food cooperatives; and generally relating to
5 cottage food products.

6 BY repealing and reenacting, without amendments,
7 Article – Health – General
8 Section 21–301(a) and (b–1)
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2018 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – Health – General
13 Section 21–301(b–2)
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2018 Supplement)

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

18 **Article – Health – General**

19 21–301.

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

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5 (b–2) “Cottage food product” means a nonhazardous food, as specified in regulations
6 adopted by the Department, that is sold in the State [directly] **IN ACCORDANCE WITH §**
7 **21–330.1 OF THIS SUBTITLE AND REGULATIONS ADOPTED BY THE DEPARTMENT:**

8 **(1) DIRECTLY** to a consumer from a residence, at a farmer’s market, at a
9 public event, by personal delivery, or by mail delivery [in accordance with § 21–330.1 of
10 this subtitle and regulations adopted by the Department]; **OR**

11 **(2) TO A RETAIL FOOD STORE, INCLUDING A GROCERY STORE, OR A**
12 **FOOD COOPERATIVE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2019.