

HOUSE BILL 527

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9lr1574
CF SB 290

By: **Delegates Charkoudian, Acevero, Arikan, B. Barnes, Cullison, Hornberger, Kittleman, Korman, Krebs, J. Lewis, R. Lewis, Metzgar, Moon, Smith, Solomon, Stewart, Turner, and Wilkins**

Introduced and read first time: February 4, 2019

Assigned to: Health and Government Operations

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:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

6 (b–2) “Cottage food product” means a nonhazardous food, as specified in regulations
7 adopted by the Department, that is sold in the State [directly] **IN ACCORDANCE WITH §**
8 **21–330.1 OF THIS SUBTITLE AND REGULATIONS ADOPTED BY THE DEPARTMENT:**

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

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

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