

HOUSE BILL 167

M4, J1, L1

0lr1379
CF 0lr1126

By: **Delegate Hubbard**

Introduced and read first time: January 20, 2010

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Seasonal Farmer's Market Producer Sampling License**

3 FOR the purpose of authorizing a county to establish a seasonal farmer's market
4 producer sampling license to allow a producer of a farm product to prepare and
5 offer samples of the product at a farmer's market; requiring the license to be
6 valid at all farmer's markets in the county for a certain time period, for a single
7 fee; limiting a licensee to offer samples only of a product produced by the
8 licensee; requiring a county issuing the license to adopt certain ordinances; and
9 generally relating to product sampling at farmer's markets.

10 BY adding to

11 Article – Health – General
12 Section 21–309.1
13 Annotated Code of Maryland
14 (2009 Replacement Volume)

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

17 **Article – Health – General**

18 **21–309.1.**

19 **(A) A COUNTY MAY ESTABLISH A SEASONAL FARMER'S MARKET**
20 **PRODUCER SAMPLING LICENSE TO BE REQUIRED FOR A PRODUCER OF A FARM**
21 **PRODUCT TO PREPARE AND OFFER SAMPLES OF THE FARM PRODUCT FOR**
22 **HUMAN CONSUMPTION AT A FARMER'S MARKET.**

23 **(B) A COUNTY SEASONAL FARMER'S MARKET PRODUCER SAMPLING**
24 **LICENSE ESTABLISHED UNDER THIS SECTION SHALL:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **(1) BE VALID AT ALL FARMER'S MARKETS IN THE COUNTY;**
2 **(2) BE VALID FOR THE ENTIRE SEASON FOR WHICH IT IS ISSUED;**
3 **AND**
4 **(3) HAVE A SINGLE FEE AS SET BY THE COUNTY.**

5 **(C) A SEASONAL FARMER'S MARKET PRODUCER SAMPLING LICENSEE**
6 **SHALL USE THE LICENSE ONLY TO OFFER SAMPLES OF A FARM PRODUCT THAT**
7 **HAS BEEN PRODUCED BY THE LICENSEE.**

8 **(D) A COUNTY ISSUING A FARMER'S MARKET PRODUCER SAMPLING**
9 **LICENSE SHALL ADOPT AN ORDINANCE THAT:**

- 10 **(1) ESTABLISHES ELIGIBILITY FOR THE LICENSE;**
11 **(2) PROVIDES FOR THE AUTHORIZED USES OF THE LICENSE;**
12 **(3) ESTABLISHES STANDARDS AND APPROVED METHODS UNDER**
13 **WHICH SAMPLING SHALL BE CONDUCTED;**
14 **(4) SPECIFIES THE DURATION OF THE SEASON DURING WHICH**
15 **THE LICENSE IS VALID;**
16 **(5) SETS THE FEE FOR THE LICENSE;**
17 **(6) PROVIDES FOR THE ENFORCEMENT OF PROVISIONS OF LAW**
18 **UNDER WHICH THE LICENSE IS ISSUED;**
19 **(7) PROVIDES PENALTIES FOR VIOLATIONS OF PROVISIONS OF**
20 **LAW UNDER WHICH THE LICENSE IS ISSUED; AND**
21 **(8) INCLUDES OTHER PROVISIONS THAT THE COUNTY**
22 **DETERMINES ARE NECESSARY TO PROTECT PUBLIC HEALTH AND CONTROL**
23 **FOODBORNE ILLNESSES.**

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2010.