

# HOUSE BILL 3

J1, M4

4lr0384

(PRE-FILED)

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By: **Delegates Hubbard and Kipke**

Requested: August 7, 2013

Introduced and read first time: January 8, 2014

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health – Milk Products – Raw Milk – Consumer-Owned Livestock**

3 FOR the purpose of exempting from certain regulation the distribution of raw milk  
4 and raw milk products from certain producers directly to the final consumer if  
5 the consumer has a certain ownership interest in certain animals; requiring a  
6 certain consumer and a certain producer to enter into a written contract of  
7 agistment relating to a certain ownership interest; establishing that the  
8 exemption does not apply to certain sales of milk and milk products; providing  
9 that the prohibition on the sale of raw milk for human consumption is subject to  
10 the exemption; and generally relating to the regulation of the sale of milk and  
11 milk products for human consumption.

12 BY repealing and reenacting, with amendments,  
13 Article – Health – General  
14 Section 21-403 and 21-434  
15 Annotated Code of Maryland  
16 (2009 Replacement Volume and 2013 Supplement)

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

19 **Article – Health – General**

20 21-403.

21 **(A)** This subtitle applies only to milk products that are intended for sale for  
22 immediate or eventual human consumption.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           **(B) (1) THE DISTRIBUTION OF RAW MILK AND RAW MILK PRODUCTS**  
2 **FROM MILK PRODUCERS DIRECTLY TO THE FINAL CONSUMER IS EXEMPT FROM**  
3 **REGULATION UNDER THIS SUBTITLE IF THE CONSUMER HAS ACQUIRED AN**  
4 **OWNERSHIP INTEREST IN THE ANIMAL OR HERD FROM WHICH THE RAW MILK IS**  
5 **PRODUCED.**

6           **(2) THE CONSUMER AND THE MILK PRODUCER SHALL ENTER**  
7 **INTO A WRITTEN CONTRACT OF AGISTMENT RELATING TO THE OWNERSHIP**  
8 **INTEREST DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION.**

9           **(3) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO**  
10 **RESTAURANT, RETAIL, COMMERCIAL, WHOLESALE, OR OTHER SALES OF MILK**  
11 **AND MILK PRODUCTS TO A SUBSEQUENT BUYER.**

12 21-434.

13           **[Except] SUBJECT TO § 21-403(B) OF THIS SUBTITLE AND EXCEPT** for sale  
14 of raw milk by a holder of a milk producer permit to a holder of a milk processor  
15 permit or the sale of a farmstead cheese, a person may not sell raw milk for human  
16 consumption.

17           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
18 October 1, 2014.