

**Article - Health - General**

21-308.

(A) IN THIS SECTION, "ON-FARM ~~FOOD HOME~~ PROCESSING FACILITY" MEANS A HOME OR DOMESTIC KITCHEN LOCATED ON AN INDIVIDUAL'S FARM THAT MANUFACTURES AND PROCESSES FOODS FOR COMMERCIAL SALE.

[(a)](B) (1) For any license issued for which the authority to conduct a program under this subtitle has been delegated to a county health department:

(i) A county governing body or the Mayor and City Council of Baltimore City may provide for a license fee schedule based on the anticipated cost of licensing, inspecting, and regulating food establishments and may provide for exemptions from the license fee schedule; and

(ii) All license fees shall be paid to the local health department or chief financial officer of the county governing body or Baltimore City.

(2) Except in Baltimore City, Montgomery County, and Prince George's County, a license fee under this subsection may not exceed:

(i) \$300; or

(ii) \$70 for a seasonal food processing operation that:

1. Uses only food that is grown on the property of the licensee; and

2. Is in operation for not more than a 3-month continuous period in the calendar year.

(3) A seasonal food processing operation may obtain a food establishment license for a fee of \$70 under paragraph (2)(ii) of this subsection only twice in a calendar year.

(C) (1) AN ON-FARM ~~FOOD HOME~~ PROCESSING FACILITY MAY OBTAIN A ~~FOOD AN ON-FARM HOME~~ PROCESSING PLANT LICENSE FOR A FEE OF ~~\$30 EACH YEAR ESTABLISHED IN REGULATIONS.~~

(2) AN ON-FARM ~~FOOD HOME~~ PROCESSING FACILITY THAT OBTAINS A ~~FOOD AN ON-FARM HOME~~ PROCESSING PLANT LICENSE MAY MANUFACTURE OR PROCESS ONLY FOODS ~~THAT ARE NONPOTENTIALLY HAZARDOUS AS DEFINED PROVIDED FOR~~ IN REGULATIONS OF THE DEPARTMENT.

[(b)](D) For any other food establishment license, the Secretary shall establish a license fee in accordance with § 2-104 of this article.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the fee set in regulation by the Department of Health and Mental Hygiene for an on-farm home processing plant license shall be set at \$30 to commence with the 2006 growing season.