

Dear Mr. Speaker:

In accordance with Article II, Section 17 of the Maryland Constitution, I have today vetoed House Bill 845 – Milk Products – Length of Sell-by Period.

House Bill 845 requires the Secretary of the Department of Health and Mental Hygiene (DHMH) to establish a sell-by period, of up to 17 days, for Grade A milk products that will be sold to consumers. Current law sets a 14 day sell-by period.

Proponents of the bill contend that modern technical advances exist that warrant providing DHMH with some flexibility to establish a longer sell-by period. This flexibility should not be provided at the potential expense of parents who want to be sure that their children are consuming fresh milk. Legislatively extending the sell-by period for up to three days should not be done until we are absolutely certain that there is no possibility of adverse health impacts. House Bill 845 provides the Department with no guidance as to what factors should be considered in setting the sell-by period and no direction regarding the process that should be used in making that determination.

For the above reasons, I have vetoed House Bill 845.

Sincerely,
Parris N. Glendening
Governor

House Bill No. 845

AN ACT concerning

Milk Products - Length of Sell-by Period

FOR the purpose of ~~authorizing~~ *requiring* the Secretary of the Department of Health and Mental Hygiene to establish the sell-by period, *of up to a certain number of days*, for certain milk products; and generally relating to the "sell-by period" of milk products.

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21-426

Annotated Code of Maryland

(2000 Replacement Volume and 2001 Supplement)

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

Article – Health – General

21-426.

(a) In this section, "sell-by period" means the length of time a Grade A milk product may be kept for sale.