

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2009, and shall be applicable to all taxable years beginning after June 30, 2009.

Approved May 11, 2004.

CHAPTER 417

(House Bill 1397)

AN ACT concerning

Milk Products - Threat to Public Health - Impoundment and Penalties

FOR the purpose of requiring the Secretary of Health and Mental Hygiene to impound a milk product that the Secretary determines is a certain threat to public health; authorizing the Secretary to issue certain orders if the Secretary impounds a certain milk product; authorizing the owner of a milk product that is disposed of or otherwise made unusable to bring an action for damages against the Secretary; providing that the Secretary has certain immunity from liability; requiring an order of the Secretary that imposes a civil monetary penalty to state certain information; requiring the Secretary to adopt certain regulations; authorizing a person subject to a civil monetary penalty to appeal the order in a certain manner; providing that certain provisions of this Act do not apply to a retail establishment; and generally relating to milk products that are a threat to public health.

BY repealing and reenacting, with amendments,

Article - Health - General

Section 21-428

Annotated Code of Maryland

(2000 Replacement Volume and 2003 Supplement)

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

Article - Health - General

21-428.

[(a) The Secretary shall impound a milk product that has been handled improperly or has not been kept at the required temperature and shall dispose of the milk product in accordance with the health laws of this State.]

(A) (1) THE SECRETARY SHALL IMPOUND A MILK PRODUCT THAT THE SECRETARY DETERMINES IS A THREAT TO PUBLIC HEALTH.

(2) FOR PURPOSES OF THIS SUBSECTION, A THREAT TO PUBLIC HEALTH EXISTS IF A MILK PRODUCT INTENDED FOR CONSUMPTION: