



# The National Agricultural Law Center

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## USDA's United States Grain Standards Act: *Maryland*



This material is based upon work supported by the National Agricultural Library, Agricultural Research Service, U.S. Department of Agriculture

# A National Agricultural Law Center Research Publication

## USDA's United States Grain Standards Act: Maryland

### Md. Code Ann., Agric. §§ 10-601 through 10-608

#### § 10-601. Definitions.

(a) In this subtitle the following words have the meanings indicated.

(b) "Certificate" means a certificate of the quality, condition, grade, food safety standard, or other classification of any farm product and includes a certificate of the Secretary, of the United States Department of Agriculture, or of the United States Food and Drug Administration.

(c) "Farm product" means any agricultural, horticultural, vegetable, or fruit product of the soil, including livestock, meats, marine food products, poultry, eggs, dairy products, wool, hides, feathers, nuts, honey, and every product of farm, forest, orchard, garden or water, but does not include canned, frozen, dried, or pickled products.

#### § 10-602. Powers generally.

When requested by any person financially interested in any farm product, the Secretary may:

- (1) Examine the product and practices used in its production to determine its quality, condition, grade, or other classification, either on the basis of the standards established by the Secretary, or the standards announced from time to time by the United States Department of Agriculture or the United States Food and Drug Administration;
- (2) Provide the person with an official certificate; and
- (3) Adopt rules and regulations concerning the inspection and certification of any farm product, including the payment of reasonable fees, as necessary to effectuate the purposes of this subtitle.

#### § 10-603. Cooperation With United States Government.

(a) The Secretary shall cooperate with the United States government and any federal agency and may designate any competent person who has been licensed, commissioned, or credentialed for work by the United States Department of Agriculture or the United States Food and Drug Administration, to inspect, examine, classify, and certify any farm product or farm production practices in accordance



with the rules and regulations it adopts and at the places the volume of business warrants.

(b) The Secretary may accept technical, financial, and advisory assistance from any cooperating federal agency.

#### **§ 10-604. Commodity Quality Grading Fund.**

There is a Commodity Quality Grading Fund. All money levied and collected under this subtitle constitutes a special fund to defray partially the expenses incurred in administration of this subtitle. Notwithstanding any other provision of law, any money unexpended at the end of a fiscal year shall remain in the fund and does not revert to the general funds of the State.

#### **§ 10-605. Appeal of Assigned Grade Classification.**

Any person pecuniarily interested in any farm product may appeal the assigned grade classification to the Secretary, in accordance with the rules and regulations adopted by the Secretary. When filing the appeal, the appellant shall deposit a sum double the fee charged by the Secretary, which shall be refunded to the appellant, if the assigned grade classification is found erroneous. The Secretary shall correct any error by affirmative action as necessary.

#### **§ 10-606. Official Certificates as Evidence.**

If not superseded by an appeal or issued pursuant to an appeal, an official certificate issued under this subtitle shall be accepted in any court of the State as prima facie evidence of the facts contained in it.

#### **§ 10-607. Confidentiality of Information.**

(a) Except as provided in subsection (b) of this section, the Secretary shall deny access to any business-related information concerning any person who applies for a certificate or is certified under this subtitle.

(b) If the Secretary determines that disclosure is necessary to protect the public health, the Secretary may disclose any business-related information concerning any person who applies for a certificate or is certified under this subtitle.

#### **§ 10-608. Revocation or Suspension of Certificate.**

After an opportunity for a hearing, the Secretary may revoke or suspend a certificate issued under this subtitle to any person for failing to comply with any regulation adopted under this subtitle.

