

The Honorable Melony Griffith
Chairwoman, Senate Finance Committee
3 East Miller Senate Office Building
Annapolis, Maryland 21401

March 21, 2023

Dear Chairwoman Griffith and Members of the Finance Committee:

Thank you for the opportunity to submit comments on House Bill 27 - *Commercial Law - Consumer Protection Act - Floral Wire Services*. While we strongly support the mission of protecting small businesses, this legislation as written will instead have significant unintended consequences, create confusion for consumers and the local businesses that serve them, and adversely impact the businesses who are helping create opportunity, revenue and employment for local Maryland florists.

One of the best examples of this unintended impact involves Teleflora. In business at a national level for more than 70 years, Teleflora partners with nearly 10,000 partner florist shops throughout North America—including over 120 local Maryland florists. Teleflora's business model is entirely centered on driving floral orders to small businesses who participate in their network voluntarily and then hand deliver floral arrangements and other products to consumers across our State. Teleflora not only partners with these 120 Maryland small businesses, its model drives millions of dollars in revenue to Maryland local businesses annually.

Yet, HB 27 would require companies like Teleflora to provide notice to customers about whether their flowers come from a local florist or a floral wire service—an unnecessary requirement when that's exactly how their business successfully operates now without issue. The legislation would make Maryland the first and only state to require this disclosure and very likely cause confusion among customers as well as the local florists with whom companies like Teleflora partner successfully and through which millions of consumers are effectively served today. Other states may then feel compelled to enact similar legislation, creating an unworkable patchwork of disclosure laws across the country. Additionally, the focus of the legislation on "floral wire services" is ambiguous because it's not even clear what a "floral wire service" is, or which companies would be captured by that term. The lack of clarity and the confusion this bill would create is underscored in the Attorney General's own letter, which states "we would not be in a position to know if the practices described in the bill need to be remedied or whether this proposed remedy would benefit consumers in any way."

Lastly, the legislation is unclear as to what “disclosure” would even mean for the floral wire services and how that disclosure would need to be presented to consumers.

However well-intentioned, this legislation is unnecessary, will surely create confusion, and will have unintended consequences for Maryland consumers and Maryland businesses.

We urge an unfavorable report on House Bill 27.

Sincerely,



Craig B. Cooper
Executive Vice President & General Counsel