



March 25, 2024

Chair Joseline A. Pena-Melnyk  
Chair, Health and Government Operations Committee  
Maryland House  
Room 241  
House Office Building  
Annapolis, MD 21401

**A2LA Written Testimony in support (with amendment) of SB 0723 Baby Food – Toxic Heavy Metals – Testing and Labeling**

Dear Chairwoman Pena-Melnyk,

We appreciate the opportunity to provide a written testimony directed at SB 0723, specifically as it pertains to laboratory testing and accreditation standards.

By way of background, the American Association for Laboratory Accreditation, (A2LA), is a non-profit accreditation body with over 4200 actively accredited certificates representing all 50 states and international, and 77 organizations accredited in Maryland including the Maryland Department of Health Laboratory that tests water and FDA regulated foods and feeds. We are headquartered in Frederick, Maryland and have been granting accreditation to laboratories in various industries since 1979.

The criteria forming the basis for our laboratory accreditation program is ISO/IEC 17025 General requirements for the competence of testing and calibration laboratories. We ourselves, as an accreditation body, have been evaluated against rigorous standards in providing this accreditation service and are recognized globally as meeting the requirements of ISO/IEC 17011.

When conducting testing for toxic metals, especially in a product such as baby food, the ensuing test results are critical to all parties involved. It is critical that testing be conducted by a technically competent laboratory who has been accredited to ISO/IEC 17025 by an accreditation body who is a signatory to the International Laboratory Accreditation Cooperation (ILAC). This provides the users of the test reports, and the consumers, with confidence that the data is supported by a quality management system, technically competent testing, qualified personnel, and that use appropriate facilities and testing equipment.

We recommend changing the following section to the proposed language (bold):

Page 2, Line 14

21 – 330.4

(A)

(5) “Proficient laboratory” means a laboratory accredited under the standards of the International Organization for Standardization.

We recommend that this be replaced with:

**(5) “Proficient laboratory” means a laboratory accredited to ISO/IEC 17025 by an International Laboratory Accreditation Cooperation (ILAC) recognized accreditation body.**

As written currently, the legislation does not clearly identify a specific ISO standard, of which thousands exist. Our amendment helps assure that the appropriate standard for laboratory competence is applied and will foster harmonization in the accreditations processes. ISO/IEC 17025 is the recognized standard used in the US and globally for accrediting food testing laboratories, including the Maryland Department of Health laboratory.

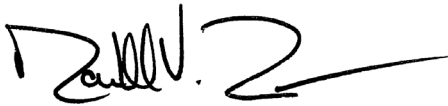
This approach will provide an independent, private sector oversight that will determine, through regular on-site assessments, (typically biennial), that the testing laboratories have demonstrated that they have:

- been found to be technically competent to perform the testing;
- the appropriate testing and storage facilities, and testing and support equipment that is maintained and calibrated;
- the policies and procedures in place to ensure quality assurance, impartiality, and effective reporting of results.

We would be pleased to provide more background and elaborate on our comments at your convenience. The Committee is welcome to consider us as a resource when considering legislation that includes testing, inspection, and accreditation matters.

If interested, please contact me via email at [rquery@A2LA.org](mailto:rquery@A2LA.org)

Sincerely,

A handwritten signature in black ink, appearing to read 'Randall Query', with a long horizontal flourish extending to the right.

Randall Query  
Director Government Relations  
American Association for Laboratory Accreditation (A2LA)