



Maryland Department of Agriculture

Office of the Secretary

Wes Moore, Governor

Aruna Miller, Lt. Governor

Kevin Atticks, Secretary

Steven A. Connelly, Deputy Secretary

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Industry

The Wayne A. Cawley, Jr. Building

50 Harry S Truman Parkway

Annapolis, Maryland 21401

mda.maryland.gov

410.841.5885 Baltimore/Washington

410.841.5846 Fax

Maryland Department of Agriculture

Legislative Comment

DATE: January 24, 2025

BILL NUMBER: SB 162

SHORT TITLE: Agriculture - Departmental Authority Over Identification, Inspection, and Sale of Cantaloupes - Repeal

MDA POSITION: Information

This legislation would repeal The Maryland Department of Agriculture's (MDA) authority over the identification, inspection, and sale of cantaloupes. MDA appreciates the sponsor's intent to update an antiquated statute that doesn't conform to federal inspection standards through the United States Department of Agriculture (USDA). MDA has not inspected cantaloupes in at least 12 years as a result of the USDA Agricultural Marketing Service's (AMS) Grades and Standards process.

The USDA shields and labels assure consumers that the products they buy have gone through a rigorous review process by highly-skilled graders & auditors that follow the official grade standards and process standards developed, maintained and interpreted by USDA's Agricultural Marketing Service.

The MDA's Food Quality Assurance Program (FQAP) conducts fruit inspections in relation to Produce Safety Rule. This program looks at produce safety as it relates to the farm and "covered" produce under the Rule. Cantaloupes would be considered "covered" produce because they are on FDA's list of produce that is consumed raw. For these inspections we aren't "inspecting" the produce (i.e. cantaloupes) as it relates to quality but rather the practices involved in the production, harvesting, and storing of the crop. The Produce Safety Rule established minimum standards for safe growing, harvesting, packing, and holding of fruits and vegetables grown for human consumption. Key requirements of the Rule focus on agricultural water; biological soil amendments; sprouts; domesticated and wild animals; workers training; health and hygiene; and equipment, tools, and buildings. Not all fruits and vegetable growers may be covered under the Produce Safety Rule, it is based on the farm's gross produce sales, and some farms that may be covered can apply for one of the exemptions outlined in the Rule if they meet the requirements.

As a result of the USDA AMS grading and standards and the Produce Safety Rule, the existing statute has been obsolete for well over a decade. The repeal will have no impact on current MDA operations.

If you have additional questions, please contact Rachel Jones, Director of Government Relations, at rachel.jones2@maryland.gov or 410-841-5886.