HOUSE BILL 1357

By: Delegate Qi
Introduced and read first time: February 11, 2022
Assigned to: Health and Government Operations

A BILL ENTITLED

AN ACT concerning

Public Health – Packaged Ice – Testing

FOR the purpose of requiring a person who manufactures packaged ice for sale in the State to conduct a test on the final packaged ice product for contamination with certain frequency, maintain a record of the test results for a certain period of time, provide the test results on request by a representative of the Maryland Department of Health, and follow certain procedures if the test shows that the packaged ice is not safe for human consumption; and generally relating to testing packaged ice.

BY adding to

Article – Health – General
Section 21–215
Annotated Code of Maryland
(2019 Replacement Volume and 2021 Supplement)

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

Article – Health – General

21–215.

(A) A PERSON WHO MANUFACTURES PACKAGED ICE FOR SALE IN THE STATE SHALL:

(1) AT LEAST ONCE DURING EACH 3–MONTH PERIOD, TEST THE FINAL PACKAGED ICE PRODUCT FOR CONTAMINATION IN A MANNER DETERMINED BY THE DEPARTMENT TO ENSURE THAT THE ICE IS SAFE FOR HUMAN CONSUMPTION;

(2) MAINTAIN THE RESULTS OF A TEST CONDUCTED UNDER ITEM (1)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
OF THIS SUBSECTION FOR AT LEAST 2 YEARS AFTER THE DAY ON WHICH THE TEST WAS CONDUCTED;

(3) ON REQUEST OF A REPRESENTATIVE OF THE DEPARTMENT, PROVIDE THE RESULTS OF A TEST CONDUCTED UNDER ITEM (1) OF THIS SUBSECTION DURING AN INSPECTION BY THE REPRESENTATIVE OF THE DEPARTMENT; AND

(4) IF THE RESULTS OF A TEST CONDUCTED UNDER ITEM (1) OF THIS SUBSECTION SHOW THAT THE PACKAGED ICE IS NOT SAFE FOR HUMAN CONSUMPTION, FOLLOW THE PROCEDURES ADOPTED BY THE DEPARTMENT UNDER SUBSECTION (B)(3) OF THIS SECTION.

(B) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION, INCLUDING:

(1) STANDARDS FOR THE LEVELS OF CONTAMINANTS IN PACKAGED ICE THAT A MANUFACTURER MUST MEET THAT ARE AT LEAST AS STRINGENT AS FEDERAL AND STATE STANDARDS FOR SELLING ICE IN THE STATE;

(2) REQUIREMENTS FOR TESTING CONDUCTED UNDER SUBSECTION (A) OF THIS SECTION; AND

(3) A PROCEDURE CONSISTENT WITH § 21–211 OF THIS SUBTITLE TO BE FOLLOWED BY THE DEPARTMENT AND A MANUFACTURER IF THE RESULTS OF A TEST CONDUCTED UNDER SUBSECTION (A) OF THIS SECTION SHOW THAT THE PACKAGED ICE IS NOT SAFE FOR HUMAN CONSUMPTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2022.