



ST. MARY'S COUNTY FARM BUREAU
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WORKING FOR SUSTAINABLE AGRICULTURE SINCE 1947
January 27, 2021

Hon. Kumar P. Barve
Chair, Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401

Re: House Bill 314 Favorable with amendment

Dear Chairman Barve,

The St. Mary's County Farm Bureau Board of Directors supports House Bill 314, the Plastic Bag Reduction Act, with an amendment.

The wording in Section A, Subsection 6, is too limited in scope. It would not authorize the use of plastic carryout bags for purchases made at farmers' markets or other agricultural product sales locations. The current language also limits the types of agricultural products sold at these locations that may be transported by the consumer in a plastic bag after purchase. These limitations on the use of plastic bags stymie farmers who are trying to provide nutritious, wholesome products to consumers. Our amendment proposes to define agricultural product sales locations and the types of agricultural products that may be sold at those locations and transported in plastic bags. Enclosed with this letter is draft language for the amendment to HB 314.

Farm bureau respectfully requests that you give favorable consideration to our proposal to amend HB 314. The successful result of our amendment will assist farmers in doing what we do best, feeding our neighbors.

Sincerely,

A handwritten signature in blue ink, which appears to read "James K. Raley, Jr.", is written over a faint, larger version of the same signature.

James K. Raley, Jr.
President
St. Mary's County Farm Bureau

Encl: Amendment to House Bill 314

St. Mary's County Farm Bureau, Inc.
Proposed amendment to House Bill 314
January 27, 2021

Article—Business Regulation

19-106

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "FOOD SERVICE FACILITY" HAS THE MEANING STATED IN § 3 21-301 OF THE HEALTH – GENERAL ARTICLE.

(3) AN AGRICULTURAL PRODUCT SALES LOCATION INCLUDES ON-FARM STANDS OR OTHER LOCATIONS THAT ADVERTISE, PROMOTE, OR USE THE TERM FARMERS' MARKET.

(4) AN AGRICULTURAL PRODUCT INCLUDES, BUT IS NOT LIMITED TO, VEGETABLES, FRUITS, NUTS, MEAT PRODUCTS, POULTRY PRODUCTS, BAKED GOODS, HONEY, DAIRY PRODUCTS, FLOWERS AND PLANTS.

~~(3 5)~~ (I) "PLASTIC CARRYOUT BAG" MEANS A PLASTIC BAG LESS THAN 4 MILS THICK THAT IS PROVIDED BY A RETAIL ESTABLISHMENT TO A CUSTOMER AT THE POINT OF SALE.

(II) "PLASTIC CARRYOUT BAG" INCLUDES A COMPOSTABLE PLASTIC BAG THAT MEETS THE SPECIFICATIONS OF THE AMERICAN SOCIETY OF TESTING AND MATERIALS INTERNATIONAL STANDARD SPECIFICATION FOR COMPOSTABLE PLASTICS D6400.

(III) "PLASTIC CARRYOUT BAG" DOES NOT INCLUDE:

1. A PLASTIC BAG USED TO:

A. PACKAGE BULK ITEMS, INCLUDING FRUIT, VEGETABLES, NUTS, GRAINS, CANDY, OR SMALL HARDWARE ITEMS;

B. CONTAIN OR WRAP FROZEN FOODS, MEAT, OR FISH, WHETHER PREPACKAGED OR NOT;

DAMP ITEMS; C. CONTAIN OR WRAP FLOWERS, POTTED PLANTS, OR OTHER

GOODS; D. CONTAIN UNWRAPPED PREPARED FOODS OR BAKERY

E. CONTAIN A NEWSPAPER;

F. CONTAIN GARMENTS OR DRY-CLEANED CLOTHES, INCLUDING SUITS, JACKETS, AND DRESSES; OR

G. CONTAIN ICE;

2. A PLASTIC BAG PROVIDED BY A PHARMACIST THAT CONTAINS PRESCRIPTION DRUGS;

3. PLASTIC BAGS SOLD IN PACKAGES CONTAINING MULTIPLE PLASTIC BAGS;

4. A PLASTIC BAG PROVIDED BY A FOOD SERVICE FACILITY THAT IS NECESSARY TO MEET FOOD SAFETY AND CONTAMINATION STANDARDS;

5. A PLASTIC BAG PROVIDED BY A RETAIL ESTABLISHMENT TO TAKE LIVE FISH, INSECTS, MOLLUSKS, OR CRUSTACEANS AWAY FROM THE RETAIL ESTABLISHMENT; OR

6. A PLASTIC BAG PROVIDED AT ~~A FARM OR AN ORCHARD AN~~ **AGRICULTURAL PRODUCT SALES LOCATION** THAT CONTAINS ~~FRUITS OR VEGETABLES~~ **AGRICULTURAL PRODUCTS** THAT WERE PRODUCED OR ~~DISTRIBURED~~ BY AND PURCHASED ~~ON THE FARM OR ORCHARD~~ AT THE **AGRICULTURAL PRODUCT SALES LOCATION**.

(4 5) "RETAIL ESTABLISHMENT" MEANS A STORE, A FOOD SERVICE FACILITY, OR ANY OTHER ESTABLISHMENT THAT PROVIDES BAGS TO ITS CUSTOMERS AS A RESULT OF THE SALE OF A PRODUCT.