

An Affiliate of
the Maryland Association
of Counties, Inc.



DATE: March 9, 2022

TO: Members, Health and Government Operations Committee

FROM: Maryland Conference of Local Environmental Health Directors
Maryland Association of County Health Officers

RE: HB 1302 – Food Service Facility – Retailers of Prepackaged and Pre-Inspected Goods – Exclusion

The Maryland Conference of Local Environmental Health Directors (the Conference) and the Maryland Association of County Health Officers (MACHO) **OPPOSES HB 1302** excluding a retail business from being defined as a Food Service Facility for the selling of prepackaged or pre-inspected goods.

Epidemiological outbreak data repeatedly identify the major risk factors related to practices in retail and food service establishments as contributing to foodborne illness. According to the 2017 FDA Food Code, improper holding temperatures were one of those five major risk factors identified. Prepackaged and pre-inspected goods still require proper refrigeration in many instances. Excluding all businesses from licensing and inspection which sell prepackaged or pre-inspected goods will only increase those risk factors for foods being held at improper temperatures.

Furthermore, the Code of Maryland Regulations addresses controls for risk factors and further establishes public health interventions to protect consumer health. Current statutes ensure that all food establishments in this State are operated and maintained in a manner that assures all food stored for human consumption is done under conditions necessary to protect the public health, safety, and welfare; this bill severely undermines the purpose for both regulation and statute.

For these reasons, we ask that the committee given HB 1302 an **UNFAVORABLE** report.

Thank you for the opportunity to share our views on this matter. If you have further questions concerning this written testimony, please contact:

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