



## DEPARTMENT OF HEALTH

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

March 9, 2022

The Honorable Shane E. Pendergrass  
Chair, House Health and Government Operations Committee  
Room 241, House Office Building  
Annapolis, MD 21401-1991

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

Dear Chair Pendergrass and Committee Members:

The Maryland Department of Health (MDH) is submitting this letter of information for House Bill (HB) 1302 - Food Service Facility - Retailers of Prepackaged and Pre-Inspected Goods - Exclusion. HB 1302 will alter the definition of a food service facility to exclude retail businesses engaged in selling prepackaged or pre-inspected goods.

MDH notes that the Code of Maryland Regulations 10.15.03.02 provides a definition of a food service facility which specifically excludes a “Facility that offers only prepackaged foods that are not potentially hazardous...” The definition of a food service facility in HB 1302 may lead to confusion among retail establishments and licensing agencies because it introduces a different definition, including the undefined term “pre-inspected.” It is important that any business handling pre-packaged potentially hazardous foods (e.g. milk, cheese, eggs, lunch meats) be licensed and inspected to ensure proper food handling and storage practices are used to prevent foodborne illnesses.

If you have any questions or comments concerning the report, please contact Heather Shek, Director, Office of Governmental Affairs, at 410-260-3190 or [heather.shek@maryland.gov](mailto:heather.shek@maryland.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Dennis R. Schrader".

Dennis R. Schrader  
Secretary