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TO: Members, Health and Government Operations

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

SUBJECT: HB1193- Anne Arundel County- Licensing of Food Establishments
Waiver for Open- Air Food Markets

DATE: February 24, 2022

The Anne Arundel County Department of Health and the Maryland Conference of Local Environmental Health Directors (the Conference) **OPPOSES** HB1193. The Conference is an affiliate of the Maryland Association of Counties (MACo) and represents county environmental health directors who lead the state's 24 local environmental health programs in the local health departments. In addition, the Maryland Association of Health Officers, (MACHO), the association of the state's twenty four Health Officers who oversee the local environmental health programs in their local health departments, also a MACo affiliate supports Anne Arundel County and the Conference in opposing this bill as it could set precedent that this would be acceptable in all other Counties across the State.

The Anne Arundel County Department of Health and the Conference have concerns and apprehension that the adoption of this bill would allow for unregulated facilities to serve potentially hazardous foods, which could increase the incidence of foodborne illness through diminished food safety. This bill would allow a business to provide potentially hazardous food to its customers without the ability to properly wash hands, wash surfaces and any items that could come in contact with these foods. An unwashed or unsanitary surface is one of the easiest and most common ways to contaminate foods. Local health departments regulate and inspect licensed food service facilities to assure foods are kept at proper temperatures, are prepared under safe and sanitary conditions and are obtained from approved sources. Waiving these requirements would increase the risk of foodborne illness potentially putting all Marylanders at risk including vulnerable populations, children and the elderly.

Food safety regulations are in place to provide the minimum standards necessary to reduce the risk of food borne illnesses. If these regulatory protections are removed, the business is at increased risk of liability if an

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illness occurs from the consumption of food products. The bill also uses the term, "open air market" which is not defined.

Accordingly, the Anne Arundel County Department of Health, the Conference and MACHO requests the Committee give HB1193 an **UNFAVORABLE** report.

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



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