

**Committee: Finance**

**Testimony on: SB 546 - Public Health - Food and Milk Product Labeling - Requirements**

**Position: Support**

**Hearing Date: February 27, 2026**

The Maryland Chapter of the Sierra Club supports SB 546, which seeks to reduce food waste and food insecurity by standardizing and clarifying food date labels on packaged food and milk products, and launching a consumer education program on interpreting food labels.

Food waste accounts for the largest share of disposed municipal solid waste in Maryland -- 18.8%, or nearly 900,000 tons annually.<sup>1</sup> As it decomposes in landfills, food waste emits methane, a powerful greenhouse gas with a global warming potential more than 80 times that of carbon dioxide over a 20-year period. At the same time, an estimated 13.5% of American households face food insecurity.<sup>2</sup> In Maryland, 1 in 8 people face hunger, and 1 in 6 children are food insecure.<sup>3</sup> Consumers are the largest source of food waste in the U.S.,<sup>4</sup> discarding nearly 35 million tons of food annually, at a value of nearly \$800 per person.<sup>5</sup>

Food date labels contribute to household food waste. There is a confusing array of labels in use, including but not limited to “best by,” “use by,” and “sell by” (Exhibit 1). Many food products have a date with no label, leaving consumers guessing what the date is signaling. In fact, the “sell by” label is not intended for the consumer at all, but for the retailer as a tool for stock rotation. Without clarification, the consumer may interpret these labels as a warning of impending spoilage and discard usable food.

ReFED estimates that nationally 1.5 million tons of food are discarded every year due to confusion over food date labels.<sup>6</sup> According to a 2025 survey, an average of 53% of consumers misinterpret them.<sup>7</sup> A recent survey found that 43% of respondents “always or usually” discarded food near or past the date on the label, and 88% said they did so occasionally, despite often being mistaken on the meaning of the label.<sup>8</sup>

There is currently no federal regulation of food date labels, leaving states to adopt their own standards. According to SB 546’s Fiscal and Policy Note, Maryland regulations already require a

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<sup>1</sup> Maryland Department of the Environment. 2025. *Final Report: Maryland Statewide Recycling Needs Assessment*. Annex A: Waste Characterization Study. Table 2-1, p. 2-5.

<sup>2</sup> Rabbitt, M. P., Reed-Jones, M., Hales, L.J. and Burke, M.P.(2024) Household Food Security in the United States in 2023 (Report No. ERR-337). U.S. Department of Agriculture, Economic Research Service.  
[https://search.nal.usda.gov/discovery/fulldisplay?context=L&vid=01NAL\\_INST:MAIN&docid=alma9916546833607426](https://search.nal.usda.gov/discovery/fulldisplay?context=L&vid=01NAL_INST:MAIN&docid=alma9916546833607426)

<sup>3</sup> Feeding America <https://www.feedingamerica.org/hunger-in-america/maryland>

<sup>4</sup> ReFED. “Understanding Consumer Food Waste in the U.S. and Strategies to Reduce It”. July 2025.

<https://refed.org/downloads/understanding-consumer-food-waste-in-the-u-s-and-strategies-to-reduce-it/>

<sup>5</sup> ReFED.org.” Confusion Over Food Date Labels Has Grown, According to New National Survey. 27 February 2025. <https://refed.org/articles/confusion-over-food-date-labels-has-grown-according-to-new-national-survey/>

<sup>6</sup> *Ibid.*

<sup>7</sup> ReFED. “Understanding Consumer Food Waste in the U.S. and Strategies to Reduce It” *Op. cit.*

<sup>8</sup> ReFED. “Confusion Over Food Date Labels Has Grown.” *Op. cit.*

“use by” date “if the package contains a food whose safety is assured only until a given date specified on the label.”

SB 546 would reduce wasted food by: (1) prohibiting the sale of food items labeled with a “sell by” date that is visible to consumers (it may be in the form of a QR code), eliminating one source of consumer confusion; (2) requiring that a food manufacturer, processor, or retailer that provides a label must use specific phrasing to indicate a “quality date”<sup>9</sup> or “safety date”<sup>10</sup> on any food item offered for sale; and (3) establishing a program to educate consumers on the significance of these labels. For items marked only with a date and no explanation, it is unclear whether SB 546 would also require food manufacturers, processors, or retailers, to add language explaining whether it is a quality date, safety date, or of some other significance. An amendment could clarify that point, with the potential to increase the impact of an already impactful bill.

According to ReFED, standardizing food date labels is one of the most cost-effective solutions for reducing food waste.<sup>11</sup> SB 546 is good for consumers, increases food security, reduces food waste, conserves landfill space, and helps to prevent landfill methane emissions. The Sierra Club respectfully requests a favorable report on SB 546.

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<b>Exhibit 1: Dates and Labels for Packaged Food</b>	
[No date or label]	Enjoy by
19 March 2026 [No label]	Expiring
BB	Sell by
Best before	Sell by/freeze by
Best if used by	Sell through
BIUB	Use by
Date produced	Use by/freeze by
Date printed	Use within 4 days of opening

Source: Walk-through of the Oxon Hill Safeway, 2/24/2026

<sup>9</sup> “Best if used by” or “best if frozen by” or “BB” if the item is too small.

<sup>10</sup> “Use by” or “use or freeze by” or “UB” if the item is too small.

<sup>11</sup> ReFED. “Confusion Over Food Date Labels Has Grown.” *Op. cit.*