



SB-188
Finance Committee
Public Health - Misbranded Food - Meat Products
Thursday, Feb. 6 @ 1pm
Position: UNFAVORABLE

Chair, Vice Chair and members of the Senate Finance Committee, the Maryland Plant-Based Advocates Coalition (MPAC) is made up of individuals, businesses, trade organizations, educational institutions, non-profit social justice organizations and lawyers in Maryland and around the country who advocate for improving the physical and mental health and environmental well-being of Maryland residents, particularly Maryland's vulnerable and communities of color through the increased consumption of and access to plant-based foods that are predominately minimally processed.

The Maryland Department of Health has reported year after year that heart disease is the #1 cause of death of Maryland Residents and Maryland now spends approximately \$6 billion a year on diabetes and prediabetes care. The Maryland Office of Minority Health and Health Disparities in its Disparities report of 2018 report, indicated that minority health and minority health disparities are critical issues for the overall health of Maryland, and that infant mortality, asthma, and diabetes / prediabetes disproportionately impact minorities in Maryland.¹ However, a plethora of research continues to show that the adoption of plant-based diet reduces the risk of many forms of cancers, and in many instances reverses heart disease, type 2 diabetes, many digestive diseases."² Regretfully, for many Maryland minority residents who live in food deserts, access to plant-based foods, or healthy food in general is almost impossible.

Consequently, the MPAC coalition exists to address this lack of access to plant-based foods. Many of the MPAC coalition members are plant-based restaurants and plant-based manufacturers that came into existence to assist Minority communities with the reversal of chronic disease. However, never during this 21st Century has there been such a rapid growth of African-Americans adopting a plant-based dietary lifestyle as there has been in 2019. The Washington Post reported on January 24, 2020 that African-Americans are the fastest growing demographic to adopt plant-based eating. Baltimore ranks #34 as the most vegan friendly city. And, there are now over 9 African-American Plant-based restaurants in Baltimore City alone. As reported by the Washington Post, this phenomena is evidence of communities of color seeking ways to improve their health in the midst of rising health care cost, and documented evidence that communities of color receive poor health care delivery by healthcare providers due to racial bias that exist in Maryland health care facilities.

¹ Maryland Office of Minority Health & Health Disparities - <https://health.maryland.gov/mhhd/Documents/2018%20Minority%20Health%20and%20Health%20Disparities%20Annual%20Report%20.pdf>

² See Physicians Committee on Responsible Medicine - <https://www.pcrm.org/health-topics>



MPAC, however, is here today, because we are deeply concerned about the unintended consequences of SB -188. While we recognize that the goal of the bill is to somehow to protect consumers from mislabeled food, the bill is extremely short sighted and will disproportionately impact Black and Brown Maryland businesses who seek to solve the health crisis in their communities. It is obvious this bill was not analyzed through a racial equity lens. While not intended, this bill:

1. criminalizes the sale of food labeled “veggie meat” like veggie chicken, or veggie crab cakes, for up to 1 year and or a fine up to \$10K. This type of sanction on speech appears to be a direct attack on the growing African-American plant-based community for the following reasons:
2. The plant-based food industry for at least 50 years have labeled plant-based food with the terms “veggie chicken” or “veggie beef”. The Seventh-Day Adventist Church, which is the true pioneers in the U.S of the manufacture of plant-based foods as early as the late 1900s have sold food labeled “veggie chicken” etc. and their has never been a censure law like SB-188 that criminalizes the use of the words “veggie meats”.
3. Yet, when national reports now indicate that African-Americans are in record numbers turning to plant-based food and over 9 African-American owned restaurants have started in Baltimore in the last 5-6 years, we now have legislators seeking to restrict and criminalize the labeling of plant-based food by restaurant owners and manufacturers.
4. This bill comes after big stars like Beyoncé and Jay-Z and other rappers have influenced minority communities to eat plant-based foods, that this super restrictive proposed bill has come into existence.
5. Moreover, this bill seeks to prevent the free description of food in a racially culturally relevant way. When slaves where brought from West Africa, the predominate food until today was always plant-based – Africans were plant-based farmers and subsisted on little animal food. It wasn’t until Black slaves were brought to American and force to eat a diet that was the scraps of pigs, beef and chicken that we turned that scraps into “Soul Food” that has for decades contributed to the poor health of Black people. Now that Blacks seek to return to the plant-based food of their mother land and reduce their consumption of animal foods, but label the food with the culturally relevant “soul food” names like veggie soul chicken, we now have such punitive laws that threaten imprisonment.
6. This bill is a “Jim Crow” type bill that uses fear tactics of threatened imprison to control the words of Black Folk who seek to improve their health of their community but in a culturally relevant way. No plant-based food seller should operate in fear or terror of going to jail for marketing their food in a way that is understandable to their community.
7. Our legislators know full well that any criminal penalties levied for any infraction will always be asserted disproportionately against Black and Brown folk in Maryland. African-



- American's make up approx. 34% of Maryland's population but 70% of the prison population.
8. The majority of the prison population has been incarcerated for selling illegal substances, but now that African-American seek sell legal plant-based food that can improve the health of their community, our legislators want us to go to jail for selling good food.
 9. It is known fact that Whole Foods or Roots Market will not go to jail for a violations, but based on the Maryland arrest statistics, our 9 African-American restaurant owners could very well go to jail for a violation.
 10. Finally, while the goal of property identification of food is noble, the law makes no sense because Black people know the difference between animal food and plant-based food. This bill presumes on the ignorance of Black Folk.
 11. In addition, if the concern is truly about protecting consumers with "honest" labeling, then Cheese should be labeled for what it really is. Cheese should be labeled as nothing but moldy dairy fluids. Rather this bill would allow the deceptive labeling of a moldy food but criminalize the culturally relevant labeling of plant-based food. So, the goal of the bill appears very disingenuous.
 12. Finally, MPAC believes that there is a bigger labeling issue regarding all food in our Black and Brown food deserts where most of what is "called" food and really "not" food at all. MPAC would rather this committee focus on dealing with the bigger issue of fake food coming into Black and Brown communities as food, when it really is not.

Therefore, the only mission of SB-188 is to protect the financial interest of the animal farm industry from lost profits from the reduced consumption of animal food by African-Americans (who have historically been the biggest consumers of chick in this state). Just like the cattle industry sued Oprah Winfrey for 4 years costing her almost \$3 million in litigation cost for her simply stating that she quit eating beef cold, this bill would subject all those who sell plant-based foods who violate this bill to the same level of onerous civil litigation for a violation. Who would have thought that Oprah would have ben sued for saying those three words, but it happened and nothing would stop the animal farm industry from using the courts to terrorize black and brown plant-based food sellers in the same way. There is nothing that can make this bill good. Rather than passing legislation that would improve the health Maryland residents and reduce health care cost, this bill would strengthen the supremacy of the animal farm industry to crush the desires of Black folk who just want to live healthy.

While we understand something should be done to help industry when it faces a slow-down that could impact jobs and the financial stability of the economy. However, no financial safety net should prevent residents from pursuing better health and small businesses from doing business to

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meet the cultural needs of their community. MPAC would support legislation that would assist businesses with pivots in the industry, but those decision must include and respect the needs of Maryland's most vulnerable communities of color that are always an after thought when legislation is submitted.

Therefore, MPAC respectfully requests that SB-188 receive an unfavorable report.

Therefore, MPAC asks for a favorable report on HB -3 which would restrict the sale of addictive flavored cigarettes.