



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

HB 1017 — PUBLIC HEALTH - COTTAGE FOOD PRODUCT
LABELS - IDENTIFICATION NUMBER

TESTIMONY OF DELEGATE LORIG CHARKOUDIAN

FEBRUARY 26, 2020

Chair Pendergrass, Vice Chair Pena-Melnyk, and Members of the Health and Government Operations Committee.

Maryland's Cottage Food Law, passed in 2012 and amended in 2019, allows certain foods, such as breads, jams, cakes, cookies and candies, to be produced in residential kitchens. Only "non-potentially hazardous food products" as defined in Code of Maryland (COMAR) regulations¹ are allowable under the current law, and annual sales must not exceed \$25,000.

The current law allows for sales at farmers markets and public events, from a residence, by personal delivery, by mail, by custom order and/or to a retail food store, including a grocery store or a food cooperative.

HB1017 will give Cottage Food Businesses additional options for labeling these food products. The current law requires the prepackaged label to include the name and address of the business. Since this is a home address, some people may want to protect that information. The proposed law will give the business the option of including the name and address of the business on the label **OR** the name and phone number of the business and an identification number to be assigned to the business by the Maryland Department of Health.

Cottage Food Businesses are generally not regulated by the FDA.² Although the FDA also regulates the labeling of food, it exempts food produced by small retail facilities—specifically those businesses with sales of food of not more than \$50,000.³

¹ MD COMAR Regulations 10.15.03.02, 10.15.03.27 defines nonhazardous foods as baked goods, high-acid fruit jams, preserves and jellies, fruit butters, natural honey and hard candy.

² <https://www.fda.gov/food/food-industry/how-start-food-business#home>

³ <https://www.fda.gov/regulatory-information/search-fda-guidance-documents/small-business-nutrition-labeling-exemption-guidance>

These changes will build on an already successful cottage food program in the state. With fewer barriers to entry and more opportunities to sell, HB 1017 offers new opportunities for cottage food producers in the local economy.

Support for this bill will ensure that Cottage food producers will continue to have opportunities to sell their artisanal products in their community, increasing the amount of food and money that stays circulating in the local economy. This legislation will continue to support local businesses and foster stronger connections between producers and a wider range of local consumers.

I respectfully request a favorable report on HB 1017.