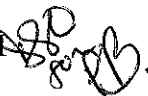


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Peter L. Beilenson, M.D., M.P.H., Health Officer

June 25, 2012

To: Lonnie Robbins
 Chief Administrative Officer

From: Peter L. Beilenson, MD, MPH 
 Health Officer

Subject: Testimony – Amendments to County Food Service Facilities Regulations & New Fees

The purpose of this legislation is to amend portions of the Howard County Food Service Facilities Regulations. Back in October 2010 (with further amendments in February 2011), significant changes to Code of Maryland Regulations (COMAR) 10.15.03 (Food Regulations) involving Farmer's Markets along with licensing requirements went into effect. Resulting changes to COMAR 10.15.03 have provided an opportunity to update, incorporate and make consistent, certain definitions found in the County affiliated Food Service Facilities Regulations, as well as, build upon aspects of the licensing provisions to create enhanced flexibility for non-farm vendors wishing to participate in Farmer's Markets.

Many Farmer's Markets are comprised of a mixture of farmers and non-farm food vendors. Currently under COMAR 10.15.03., there are only two licensing options for non-farm vendors attending Farmer's Markets in Howard County. Non-farm vendors may only sell products under a 14 day "Temporary Permit" (at a fee of \$72 / permit) or obtain a mobile food truck license. Both options are costly for the duration of the Farmer's Market period. The Howard County Health Department (HD) is proposing this new license and fee to meet the need for a more economical approach regarding participation by non-farm vendors at Farmer's Markets. The proposed \$125 fee will cover the **entire** Farmer's Market season (April 1st through November 30th) at a single location.

With respect to the "On-Farm License" and "Seasonal Farmer's Market Producer Sampling License" (both existing requirements within COMAR 10.15.03.), the HD is proposing a modest \$30 license fee (for each 30 day permit, with up to two renewals) for the "On-Farm License", and a \$90 fee for the "Seasonal Farmer's Market Producer Sampling License". This yearly license will enable participation at any Farmer's Market, festival and public event within Howard County.

With the adoption of these proposals, the Health Department does anticipate some impact to our daily operations and regulatory oversight of these newly licensed facilities. These changes will assist in tracking general levels of activity, plus importantly, help staff respond to any potential reports of food illness. The passage of these regulation changes and updates, along with new licenses and corresponding fees, will help give clarity to various Farmer's Market operations and participation occurring within Howard County.

The Food Protection Program Manager for Environmental Health has met with and provided information for distribution to members of the Howard County Farmer's Market Board, plus the

HD has communicated and coordinated with the Howard County Agriculture Economic Development Authority. Written comments from both organizations in **support** of these proposed regulations and fees are attached. A key comment in respect to the "Non-Farm Vendor License" is that this will benefit Farmer's Markets by "making them more competitive with the non-producer only markets that have begun to open in the county". The HD is also anticipating letters from Howard County Office of Tourism and Promotion, and University of Maryland Extension-Howard County.

Attachments

cc: Ray Wacks

Jennifer Sager



June 20, 2012

Mr. Bert Nixon
Director of Bureau of Environmental Health
Howard County Health Department
7178 Columbia Gateway Dr.
Columbia, MD 21046

Mr. Nixon,

This letter is in support of the Howard County Health Departments proposed regulations for Farmers' Markets, On-Farm Food License and the recommended fees.

COMAR regulation 10.15.03.28B Seasonal Farmers' Market Producer Sampling License and COMAR 10.15.03.02B(48) On-Farm Food Service Facility Temporary License will allow the farms at both the farmers' markets and the on farm markets to be more competitive. The tasting of fruits, vegetables, meats and dairy allow the consumer an opportunity to experience the difference of farm fresh. The temporary on-farm food license will allow the farms to promote offerings like pick your own pumpkins and cut your own Christmas trees as a family event and allow them to have more of a festival feel.

The proposed regulation by the Howard County Health Department for a Seasonal Non-Farm Vendor License will benefit the local Howard County Farmers' Markets by making them more competitive with the non-producer only markets that have begun to open in the county. Because Howard County Farmers' Markets stand by the traditional "producer only" markets that promote the local farms it has limited the ability for them to allow a variety of vendors into the markets. This license provides another option and will create more of a community feel to the markets.

So I respectfully request that Howard County and the Howard County Health Department move forward with these proposed regulations as soon as possible for the benefit of the agriculture community.

Sincerely,
Kathy Zimmerman
Agricultural Development Manager
Howard County Economic Development Authority

Howard County Farmers' Market Board

June 20, 2012

Mr. Bert Nixon
Director of Bureau of Environmental Health
Howard County Health Department
7178 Columbia Gateway Dr.
Columbia, MD 21046

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The Howard County Farmers' Market Board respectfully request that Howard County and the Howard County Health Department move forward on these proposed regulations for the benefit of the Howard County agriculture community and the Howard County Farmers' Markets.

Sincerely,
John Dove
President
Howard County Farmers' Market Board