

Good Evening, Chairwoman Sigaty, and Honorable Members of the County Council. My name is Scott Meskin and it is a privilege to appear before you today on behalf of my company, Black Tie Services, as well as the Maryland vending and refreshment services industry, to discuss County Bill 17 regarding food and beverages sold in vending machines on Howard County owned property.

Since 1989, Black Tie Services, has been a leading family-owned business that offers cold beverages, snacks, coffee, fresh food and other fine refreshments to its diverse client base in Washington, DC, and Maryland. We have been able to do so by combining the latest technology advancements available in the industry with a focus on quality and affordable solutions. Black Tie currently services Howard County properties for vending services, but this bill's passage could lead to an even larger impact on the vending industry in Maryland.

With respect to vending, our entire industry has been operating ahead of the curve in providing nutrition information to consumers. The landscape has changed in recent years, and there are so many different ideas about what is considered "healthy". This is particularly true for consumers with different needs –from those who are counting calories and fat grams, to those who are monitoring their carbohydrates, sodium, and sugar intake.

We understand your concern about Howard County residents' access to "better for you" food and beverage choices; thus we have made it a priority to address this issue for many years, through a voluntary, industry-wide program. For example, Black Tie Vending is a proud participant in programs such as "Fit Pick". Developed in 2005, Fit Pick, is the signature nutrition outreach initiative of our national trade association - National Automatic Merchandising Association (NAMA). This simple yet effective food labelling initiative, was way ahead of its time in

demonstrating the vending and refreshment services industry's commitment to nutrition and wellness.

This program – Fit Pick – identifies “better for you” snack choices in a vending machine and micro market with a Fit Pick sticker and other point of purchase materials. The Fit Pick sticker alerts consumers on whether or not their snack choice is compliant with guidelines established by NAMA's Nutrition Advisory Council as well as recognized nutrition standards from USDA and other leading organizations.

Fit Pick features two nutrition standards: one for the workplace and Fit Pick Select for schools. The school standard aligns with USDA's Smart Snacks in Schools.

Since the program's inception more than ten years ago, millions of Americans from all walks of life have purchased their snacks from vending machines – and now micro markets – featuring Fit Pick stickers. More than 16,000 organizations – including local, state and federal government buildings, as well as all four branches of the U.S. military – have used this program.

Fit Pick has been recognized by the Alliance for a Healthier Generation and the American Heart Association. Nationally renowned experts from Tufts University, the Academy of Nutrition and Dietetics and leading suppliers including Kellogg's; Mondelez; PepsiCo and others have provided guidance for the program and serve on NAMA's Nutrition Advisory Council.

In short, the vending industry has been at the forefront of providing an increased level of “better for you” choices to consumers and educating consumers on those products. Also, our industry has been working at the federal level with the U.S. Food and Drug Administration to ensure compliance with the December 1, 2016 deadline for disclosing calories on vended products.

Furthermore, it is my understanding that Baltimore City's focus on similar type restrictions in the vending channel has created a downturn in vending sales and an increase in street vendors and local store sales on the products that traditional vending has removed.

***Accordingly, we are strongly OPPOSED to the restrictions on the sale of certain foods and beverages in vending machines on Howard County property as proposed by County Bill***

**17.** This Bill unnecessarily regulates and restricts consumer choice and is punitive to vending operators because it:

1. Establishes an arbitrary definition of "healthy foods and beverages" and requires that beverages not on this list be priced \$0.25 cents higher than the other offerings. This would in essence be a tax on those choosing beverage products not on the "healthy list."
2. Requires that only "healthy" food and beverages be placed on the top 1/3 of the vending machine and that foods and beverages sold at a concession stand, counter or kiosk be displayed in a distinguishable manner.
3. Requires free water be provided at all County-sponsored events when other foods and beverages are being sold.
4. Requires the Office of Purchasing to perform random and complaint-based inspections.
5. The legislation is poorly written and unclear in many respects - but appears to hold exemptions for non-profits, and exempts public school property.

For these reasons we ask that the Council votes "NO" on County Bill 17. That being said, I would welcome the opportunity to meet on issues related to "better for you" or "healthy" vending and see if there are areas where we can work together to reach the goals of the bill's sponsor through voluntary industry efforts.

Thank you,

Scott Meskin

Black Tie Services