



Montgomery County Food Council
Licensing Subcommittee Recommendations
November 2019

The Montgomery County Food Council created a Licensing Subcommittee to convene representatives from local non-profit organizations, food businesses, cooking instructors, and other stakeholders who interact regularly with the licensing and regulatory requirements related to food sampling at the County level. The purpose of this subcommittee is to identify and address requirements that are potentially financially or operationally challenging for local producers, cooking instructors, and organizations. The following recommendations have been identified by the Subcommittee as priorities for the County government to address and revise.

- **Allow nonprofits to take advantage of the state’s definition of “excluded organizations” for non-hazardous food distribution, as established through Maryland HB 522.**
 - Section 15-12 of County Code.
 - Current regulation: A temporary food service license for a non-profit organization is valid for 14 days, and costs \$30 for potentially hazardous foods including samples, and \$15 for non-hazardous packaged food.
 - Alternative options:
 - Eliminate temporary food service licensing fees for non-profit organizations
 - Offer a 30-day, year-long, or recurring event license for nonprofits (as opposed to 14 days)
 - Relevant examples in other jurisdictions:
 - Neighboring Counties:
 - PG County, Howard County, Fairfax County: Non-profit temporary licenses are free
 - Frederick County: Temporary license fee is waived for non-profits that are not collecting money
- **Reduce the cost of temporary food service licenses for for-profit businesses.**
 - Sections 15-12 and 15-8 of County Code

- Current regulation: A temporary food service license for a for-profit organization is valid for 14 days, and costs \$70 for potentially hazardous foods including samples, and \$40 for non-hazardous packaged food.
- Alternative options:
 - Allow participants at a non-profit event to apply for a temporary food service license at a non-profit or reduced rate.
 - Reduce fee or exempt health inspection if a Montgomery County Certified Food Manager will be present for the organization at event. (This would require adding a question to the Temporary Food Service Permit application.)
 - Offer a single “event fee” at a for-profit event with multiple vendors sampling and selling products.
- Relevant examples from neighboring jurisdictions:
 - Fairfax County: Temporary food service license is \$40
 - Frederick County: Temporary food service license is \$25
- **Reduce farmers market licensing fees for participation in multiple markets.**
 - Current regulation: A farmers market license for a farmer is valid for one season and one market, and costs \$50, while a license for a food vendor costs \$175 per market.
 - Neighboring jurisdictions:
 - PG County: \$175/season for up to 2 markets
 - Frederick County: \$200/season covers participation at all Frederick County markets
- **Establish automated online forms and payments**
 - Section 15-10 of County Code.
 - Current regulation: Temporary food service license applications must be faxed, mailed, or hand delivered to the HHS offices in Rockville, MD at least two days before an event.
 - Neighboring jurisdiction:
 - PG County: Temporary Food Service License Application can be completed and submitted online.