



Maine Grocers &
Food Producers
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Monday, February 22, 2021

IN OPPOSITION - LD 358 'An Act To Protect Workers from Unsafe Working Conditions with Regard to Indoor Temperatures'

Dear Senator Rafferty - Chair, Representative Sylvester - Chair, and Members of the Labor and Housing Committee,

My name is Christine Cummings and I am the Executive Director of the Maine Grocers & Food Producers Association (MGFPA). The Maine Grocers & Food Producers Association is a business trade association representing Maine's food community; Main Street businesses, including independently owned and operated grocery stores and supermarkets, food and beverage producers and processors, manufacturers, wholesalers, distributors, and supportive service companies.

Our membership represents businesses that work in a variety of indoor environments that are required by law or by the nature of the production setting to have varying temperatures. We are concerned for arbitrary minimum and maximum temperatures that would attempt to control the wide breath of unique business environments. How can a reasonable variance apply to one business with a warm indoor greenhouse necessary to grow fresh produce and also to a chilled indoor ice cream production facility? We question what defines an 'indoor space'; how will this be practically monitored and enforced? Would there be allowance for the indoor spaces near constantly opening and closing doors to accommodate for the incoming and outgoing traffic, grocery cart returns or the receipt in of other goods?

In the grocery and food production industries, temperature is important to maintain food safety. Chilled warehouses, production facilities, butcher and deli sections, to the varying hot-food preparation and warming stations, all undoubtedly effect the surrounding temperatures. Supermarkets and food producers maintain rigid quality assurance and sanitation standards to ensure customers always receive fresh, quality, shelf-stable, products. It is a necessity that these 'indoor temperatures' remain at a specified temperature so that foods do not become contaminated with pathogenic (disease causing) microorganisms, parasites or viruses. The variety of departments within grocery stores and production facilities require unique temperature maintenance and monitoring.

It is recommended that foods be kept cold at 40 °F or below, freezers should be at 0 °F and hot foods at 140 °F and above (*FMI a Consumer Guide to Food Quality & Safety*). "All other canned and packaged goods may not have strict temperature limits, but they do need to be held within guidelines. Most dry goods can be kept in temperatures ranging from 50 °F to 70 °F. To ensure the maximum shelf life of the product, keep temperatures at or around 50 °F and keep away from sources of heat and light" (*MadgeTech Inc*). Our grocery store department temperatures are purposeful and cannot be held to generic non-industry standards.

It's also worth noting the varying temperatures along the supply chain. Many of our members have warehouses with cold storage or loading docks that are often exposed to fluctuating outdoor temperatures which would make it extremely difficult and expensive to regulate. In fact, there are set temperatures in which some food must be received in at to be considered safe by Maine's Food Code.

Despite the varying indoor environments -- these businesses are not endangering their employees with unsafe or unhealthy temperature conditions. Thank you for the opportunity to provide testimony.

Christine Cummings

Christine Cummings
Executive Director

Christine Cummings
Maine Grocers & Food Producers Association

Attached please find my testimony. Unfortunately, I was not called upon to speak in opposition despite being signed up and on the zoom meeting. Please accept my written testimony on behalf of MGFPA. Thank you.