



**Testimony in opposition to
RB 5610 An Act Requiring Last Sale Dates for Retail Food Products**

Good afternoon Chairman Stone, Chairman Colapietro and members of the General Law Committee. My name is Stanley Sorkin and I am the Executive Director of the Connecticut Food Association which is a trade association that represents independent and chain grocers and their suppliers on issues affecting their welfare of the industry in CT. I am here in opposition to RB 5610 An Act Requiring Last Sale Dates for Retail Food Products.

The CFA firmly believes that product information in regard to freshness should be communicated to consumers so that they can make an informed purchasing decision. However, in an interstate commerce environment, RB 5610 is so broadly worded- "each container or package or food offered for retail sale and intended for human consumption" makes the bill unworkable. The definition of food is too all inclusive. Food would include store packaged meat, fish, and poultry products in addition to products produced by national consumer package goods companies such as cereals, canned fruits and vegetables, condiments, frozen foods and ice cream.. The list can go on and on. Currently, these national companies code their products based on their self- determined standards for freshness or quality. In summary you will find these methods of coding in your local supermarket.

First, some dates aren't meant to be of use to consumers. "Closed" or coded dates are packing dates used internally by manufacturers. It's the "open dating" or calendar that shoppers are interested in.

These dates are an indication of product freshness or quality. They're not safety dates. They may be worded in different ways at the discretion of the producer.

What we most often see:

* "Sell-By" dates. These dates tell retailers how long products should remain on store shelves. They also help retailers rotate their stock. Older items are moved to the front of the display where they'll be purchased sooner. The date takes into consideration the length of time a food is likely to be in the home before it's eaten.

* "Best if Used By" or similar wording. This is a quality date, not a purchase date. It means the food is at peak quality – has the best flavor or texture – if it's consumed by this date.

* "Use-By" dates. These are more definitive deadlines by which foods will have passed the point of peak quality. Foods aren't necessarily unsafe to eat beyond these dates. They're just likely to lose flavor or texture more rapidly.

The legislation would be very difficult to implement because it would require agreement on 'sell by date' wording by 100's of producers and expensive for manufacturer's to implement since it requires CT only packaging.

In addition, the penalty structure is vague. Will the fine be levied if package does not have an expiration date only or if an expired package available for sale. Is it per package or per occurrence? .Who is the target of the fine? Company or employee?

The bill would be more viable if its scope was narrowed. Retailers only control coding of products that are freshly packaged at the store- meat, poultry, fish, and deli. It is standard practice in the industry to code these products with a sell by date to inform the consumer of the products freshness. And since, it is standard practice, no legislation is necessary.

Thusly, the CFA is opposed to RB 5610 as written,,