

STORAGE NAME: h3233.ag

DATE: March 4, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
AGRICULTURE
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 3233

RELATING TO: Food Products

SPONSOR(S): Representative Jacobs

COMPANION BILL(S): SB 1860 (i) by Senator Klein

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) AGRICULTURE
 - (2) CRIME & PUNISHMENT
 - (3) BUSINESS DEVELOPMENT & INTERNATIONAL TRADE
 - (4)
 - (5)
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I. SUMMARY:

HB 3233 would require raw meat, fish, or poultry that is rewrapped or repackaged to bear a label stating a "use by" date and a "sell by" date, as well as the date that originally appeared on the package before repackaging.

To sell, deliver for sale, or offer for sale any raw meat product not carrying this label would be considered a "prohibited act" and punishable by imprisonment from 60 days to one year and/or a fine of \$500-\$1000.

The Department of Agriculture and Consumer Services (department) estimates the negative fiscal impact of this bill to be \$87,778 for FY 1998-99; \$90,008 for FY 1999-2000; and, \$92,305 for FY 2000-2001.

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II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Currently, raw meat that is rewrapped or repackaged is not required to have the original package date stated on the new packaging label.

Generally, the rewrapping or repackaging of raw meat occurs to remedy aesthetic problems, i.e. blood drainage, and to ascertain that there are no signs of possible spoilage. Industry practice allows for the rewrapping or repackaging of some meat items, providing that the quality and wholesomeness of the product is not compromised. Raw meat can last indefinitely if kept at the proper temperature, approximately 41° F.

According to information provided by the department, to assure quality control of the meat being sold to their customers, management in some retail stores has arbitrarily chosen a two or three day shelf life when that store's meat is placed in the retail case. At the expiration of the chosen shelf life, the meat is unwrapped to determine if any darkening or signs of possible spoilage has begun. If there is no evidence of darkening or beginning spoilage, the store meat manager may rewrap the meat for sale for one or two more days. The quality of raw meat is not compromised by repackaging or rewrapping but by substantial fluctuations in temperature. Department regulations require that the meat be properly refrigerated at all times.

B. EFFECT OF PROPOSED CHANGES:

HB 3233 would require raw meat, fish, or poultry that is rewrapped or repackaged to bear a label stating a "use by" date and a "sell by" date, as well as the date that originally appeared on the package before repackaging.

To sell, deliver for sale, or offer for sale any raw meat product not carrying this label would be considered a "prohibited act" and punishable by imprisonment from 60 days to one year and/or a fine of \$500-\$1000.

The department anticipates that this legislation would require additional time during the inspection process to determine that rewrapping and repackaging is done in a manner which retains the required date information. An increase in the number of consumer complaints is also expected, requiring the department to allocate additional time and travel for follow-up inspections.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

- a. Does the bill create, increase or reduce, either directly or indirectly:

- (1) any authority to make rules or adjudicate disputes?

No.

- (2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

Yes. The department will either have to increase its inspection staff or the caseload for the present inspection staff to handle the increase in duties to determine that rewrapping and repackaging is done in a suitable manner. An increase in the number of consumer complaints requiring investigation is also expected, requiring additional time, visits and travel.

- (3) any entitlement to a government service or benefit?

No.

- b. If an agency or program is eliminated or reduced: **Not Applicable.**

- (1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

- (2) what is the cost of such responsibility at the new level/agency?

- (3) how is the new agency accountable to the people governed?

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

No.

- b. Does the bill require or authorize an increase in any fees?

No.

- c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment **Not Applicable.**

a. If the bill purports to provide services to families or children:

(1) Who evaluates the family's needs?

(2) Who makes the decisions?

(3) Are private alternatives permitted?

(4) Are families required to participate in a program?

(5) Are families penalized for not participating in a program?

b. Does the bill directly affect the legal rights and obligations between family members?

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

(2) service providers?

(3) government employees/agencies?

D. STATUTE(S) AFFECTED:

Sections 500.04 and 500.177, Florida Statutes

E. SECTION-BY-SECTION RESEARCH:

See Section B. regarding effect of proposed changes.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

	Amount Year 1 <u>(FY 98-99)</u>	Amount Year 2 <u>(FY 99-00)</u>	Amount Year 3 <u>(FY 00-01)</u>
a. OCO (General Revenue)	\$ 12,300		
b. OPS			
c. One time expenses			
d. Other			
Total Non-recurring Effects	<u>\$ 12,300</u>		

2. Recurring Effects:

a. Positions (statewide locations)*

(2) FTE - Class Code 8888,
Sanitation & Safety Specialist
(General Revenue)

\$ 74,328

\$76,558

\$ 78,855

b. Expenses (General Revenue)

13,450

13,450

13,450

Total Recurring Effects

\$ 87,778

\$ 90,008

\$ 92,305

Total Recurring and Non-
Recurring Effects

\$100,078

\$ 90,008

\$ 92,305

*Salaries and benefits are calculated at 10% above the minimum and were increased by 3% for the second and third years in anticipation of salary increases.

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

Total Expenditures

\$100,078

\$ 90,008

\$ 92,305

Total Revenues

_____ -

_____ -

_____ -

Total Revenues & Expenditures

\$(100,078)

\$(90,008)

\$(92,305)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR: