

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 339 w/CS Food safety

SPONSOR(S): Bowen

TIED BILLS: None

IDEN./SIM. BILLS: SB 1218

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Agriculture	13 Y, 0 N w/CS	Kaiser	Reese
2) Agriculture & Environment Apps. (Sub)	12 Y, 0 N	Sneed	Dixon
3) Appropriations		Dixon	Hansen
4)			
5)			

SUMMARY ANALYSIS

In an effort to ensure the safety of Florida's food supply in the aftermath of 9-11 and the Mad Cow disease outbreak in Europe, the Commissioner of Agriculture established a Food Safety Task Force. The Task Force is composed of representatives from every facet of the food industry: production, processing, distribution, sales, consumers, food industry groups, experts in food safety, agencies charged with food safety responsibilities, and legislative representatives. The purpose of the Task Force is to provide a forum for presenting, investigating, and evaluating issues of current importance in food safety.

HB 339 transforms this "ad-hoc" task force into a permanent advisory council (Florida Food Safety and Food Security Advisory Council) under the Department of Agriculture and Consumer Services (department). All members of the Council, with the exception of the Secretaries of the Department of Health and the Department of Business and Professional Regulation and the legislative representatives, are appointed by the Commissioner of Agriculture. The Council will periodically report findings and recommendations to the department. In performing its duties, the Council members may receive confidential data exempt from the provisions of s. 119.07(1), F.S., for review; it is unlawful for any member of the Council to use the data for his/her advantage or reveal the data to the general public.

Appropriations of \$5,000 are provided from the department's Contracts and Grants Trust Fund and from the General Inspection Trust Fund. These funds are for the payment of costs associated with conducting the business of the Council.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0339d.ap.doc

DATE: April 21, 2003

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. DOES THE BILL:

- | | | | |
|--------------------------------------|---|-----------------------------|---|
| 1. Reduce government? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes? | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. Increase personal responsibility? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. Empower families? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. EFFECT OF PROPOSED CHANGES:

In an effort to ensure the safety of Florida's food supply in the aftermath of 9-11 and the Mad Cow disease outbreak in Europe, the Commissioner of Agriculture established a Food Safety Task Force. The Task Force is composed of representatives from every facet of the food industry: production, processing, distribution, sales, consumers, food industry groups, experts in food safety, agencies charged with food safety responsibilities, and legislative representatives. The purpose of the Task Force is to provide a forum for presenting, investigating, and evaluating issues of current importance in food safety.

HB 339 transforms this "ad-hoc" task force into a permanent advisory council (Florida Food Safety and Food Security Advisory Council) under the Department of Agriculture and Consumer Services (department). All members of the Council, with the exception of the Secretaries of the Department of Health and the Department of Business and Professional Regulation and the legislative representatives, are appointed by the Commissioner of Agriculture. The Council will periodically report findings and recommendations to the department. In performing its duties, the Council members may receive confidential data exempt from the provisions of s. 119.07(1), F.S., for review; it is unlawful for any member of the Council to use the data for his/her advantage or reveal the data to the general public.

The effective date of this legislation is July 1, 2003.

C. SECTION DIRECTORY:

Section 1: Creating s. 500.033, F.S., creating the Florida Food Safety and Food Security Advisory Council; providing purpose; providing criteria for membership; providing for periodic reports, and providing for confidential data reviewed by the Council to remain confidential according to the provisions of s. 119.07(1), F.S.

Section 2: Providing appropriations for costs associated with conducting activities of the Council.

Section 3: Providing an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Recurring:	Fund	Year 1	Year 2	Year 3
Anticipated Revenues*	GITF	\$ 5,394	\$ 5,394	\$ 5,394
	C&G	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>
Total Recurring Revenues		<u>\$10,394</u>	<u>\$10,394</u>	<u>\$10,394</u>

2. Expenditures:

Expenses	GITF	\$ 5,000	\$ 5,000	\$ 5,000
	C&G	<u>5,000</u>	<u>5,000</u>	<u>5,000</u>
Total Recurring Expenditures		<u>\$10,000</u>	<u>\$10,000</u>	<u>\$10,000</u>

*The revenue estimates are based on anticipated grant money (Contracts and Grants Trust Fund) from the United States Food and Drug Administration for the purpose of encouraging states to establish such advisory bodies. Sufficient revenues exist in the General Inspection Trust Fund to cover the state's portion of the costs associated with conducting activities of the Council.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

This bill turns an "ad-hoc" task force that has been in existence since 9-11 into a task force with permanent standing. As such, administrative costs as well as travel and per diem for task force members, projected to be \$5000 or less, would be incurred by the department.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to affect municipal or county government.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

N/A

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

On March 6, 2003, the Committee on Agriculture unanimously adopted a strike-all amendment to HB 339. This analysis reflects the contents of that amendment.

On April 11, 2003, the Subcommittee on Agriculture and Environment Appropriations adopted two amendments:

- a. Adds a representative from the Department of Law Enforcement to the Advisory Council,
- b. Provides for a recurring annual appropriation of \$10,000 in trust fund authority for covering the costs of the council.