

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Agriculture, Environment, and General Government

BILL: SB 1056

INTRODUCER: Senator Gruters

SUBJECT: Dosage Form Animal Health Products

DATE: April 17, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Burse</u>	<u>Becker</u>	<u>AG</u>	<u>Favorable</u>
2.	<u>Blizzard</u>	<u>Betta</u>	<u>AEG</u>	<u>Pre-meeting</u>
3.	_____	_____	<u>FP</u>	_____

I. Summary:

SB 1056 requires a manufacturer or distributor of dosage form animal health products to register with the Department of Agriculture and Consumer Services (department). The bill authorizes the department to waive the registration requirement under certain conditions and requires specified information for registration applications. The bill also provides conditions under which dosage form animal health products are considered misbranded or adulterated.

The bill is expected to have an indeterminate impact on state revenues and a negative operational fiscal impact on state expenditures. See Section V. Fiscal Impact Statement.

The bill takes effect July 1, 2023.

II. Present Situation:

Division of Animal Industry

The Division of Animal Industry is responsible for enforcing animal health regulations in Florida and protecting the state from animal pests and diseases.¹ District veterinarians and animal health inspectors throughout the state work with producers, animal owners and private veterinarians to monitor and enhance the health and welfare of Florida's animals.²

Vermont

In May 2021, Vermont Governor Phil Scott signed Act No. 41 (S.102) into law.³ The law provides rules and fees for registration, labeling requirements, and conditions under which

¹ See <https://www.fdacs.gov/Divisions-Offices/Animal-Industry> (last visited March 8, 2023).

² *Id.*

³ See <https://legislature.vermont.gov/bill/status/2022/S.102> (last visited March 8, 2023).

dosage form animal health products are considered misbranded or adulterated.⁴ The law also provides additional rules and administrative penalties for person distributing dosage form animal health product within the state.⁵

Dosage-Form Animal Products

The National Animal Supplement Council (council) defines Dosage-Form Animal Health Products as articles (other than food) intended to affect the structure or any function of the body other than providing nutrition.⁶ The council list the following as examples of Dose-Form Animal Health Products:

- Hip & Joint Support;
- Calming Aids;
- Antioxidants;
- Organ-Specific Support such as heart, bladder or brain;
- Immune Support; and
- Most Herbal Products.⁷

III. Effect of Proposed Changes:

SB 1056 provides definitions for the following terms:

- Brand name;
- Distribute;
- Distributor;
- Dosage form animal health product;
- Label;
- Labeling;
- Manufacture;
- Manufacturer; and
- Product name.

The bill also requires a manufacturer or distributor of dosage form animal health products to register with the Department of Agriculture and Consumer Services (department). It authorizes the department to waive the registration requirement under certain conditions and requires specified information for registration applications. The bill also provides conditions under which dosage form animal health products are considered misbranded or adulterated. The bill specifies that dosage form animal health products may not be considered commercial feed, a drug, or feedstuff as those terms are defined in s. 580.031, F.S.

The bill takes effect July 1, 2023.

⁴ See <https://legislature.vermont.gov/Documents/2022/Docs/ACTS/ACT041/ACT041%20As%20Enacted.pdf> (last visited March 8, 2023).

⁵ *Id.*

⁶ See <https://www.nasc.cc/news/how-to-read-a-label/> (last visited March 8, 2023).

⁷ *Id.*

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

This bill may affect dosage form animal health products that are currently on sale. These products may need to be recalled to be accurately labelled and will cost distributors and business owners negatively.

C. Government Sector Impact:

The bill will require additional resources for registration, inspection, and enforcement activities. The department estimates the need for three positions and \$276,193 from the General Revenue Fund to implement the provisions in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 585.012 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
