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## ***Detailed Fiscal Analysis***

The Department of Health (DOH) oversees the regulation of food service operations, while the Department of Agriculture (AGR) is responsible for bakery regulation. Currently, however, numerous establishments fall under laws regulating food service operations, as well as those for bakeries.

The bill specifies that a food service operation that also prepares and serves bakery products is regulated under food service law and removes bakeries that are a part of an establishment licensed as a food service operation from bakery law. This will not change the DOH's oversight of food service operation. According to a spokesperson for the Department of Agriculture, there are 836 licensed commercial retail bakeries out of a total of 3563 licensed bakeries. This category would contain the food service operations that also have bakeries. AGR estimates that approximately 75 of these bakeries would not require inspections or licenses as a result of HB 113. The current license fee for commercial retail bakeries is \$30 annually. AGR would lose approximately \$2,250 (75 x \$30) in licensing fees from these bakeries. Since these bakeries are spread across the state and not confined to one locality, the twenty-two field inspectors would see a minimal decrease in the total number of inspections they perform. Field inspectors are responsible for many inspection programs within the Foods, Dairies, Drugs Division and not just bakeries. The department is not projecting a loss of inspection personnel because they would be used to reduce their backlog of inspections.

The bill also creates the Food Safety Council, which consists of the Directors of Agriculture and Health, or their designees, and seven members to be jointly appointed by the directors. The council is required to issue a report of its finding and recommendations and will cease to exist six months after the issuance. The members will serve without compensation; therefore, there is no fiscal effect from this provision.

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