

BILL ANALYSIS

H.B. 3227
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Agriculture & Livestock
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note the need to revise provisions relating to the coordination of food safety to align regulations with recently developed objectives that shift safety concerns from a system focused on responding to contaminations to one that focuses on preventing contaminations. H.B. 3227 seeks to provide for such a revision.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3227 amends the Agriculture Code to revise provisions relating to the coordination of food safety to specify that the Department of Agriculture (TDA) is the lead agency for the administration, implementation, and enforcement of, and education and training relating to, the U.S. Food and Drug Administration Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption or any successor federal produce safety rule or standard and to specify that those provisions apply to the coordination of produce safety. The bill removes the requirement that the TDA approve training and awareness programs for producers and packers of fresh fruits and vegetables. The bill includes nongovernmental organizations among the entities with which the TDA is required to coordinate the planning and implementation of such programs. The bill authorizes the TDA to enter into a cooperative agreement, interagency agreement, grant agreement, or memorandum of understanding with a federal or state agency for the administration, implementation, or enforcement of provisions relating to the coordination of produce safety.

H.B. 3227 expands the TDA's rulemaking authority regarding provisions on the coordination of produce safety to include the adoption of rules to administer and enforce such provisions. The bill removes the requirement that the TDA consult and coordinate with the Department of State Health Services in the development of rules for the certification of approved food safety curriculum or training. The bill authorizes the TDA, in the development of rules on the coordination of produce safety, to consider relevant state, federal, or national standards and consult with federal or state agencies.

H.B. 3227 includes provisions on the coordination of produce safety among the provisions a violation of which, or of a related TDA rule or order, is subject to a TDA administrative penalty and sets the maximum penalty at \$5,000.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.