

**SUBJECT:** Establishing the Texas Food for Health Advisory Council

**COMMITTEE:** Agriculture and Livestock — committee substitute recommended

**VOTE:** 5 ayes — Swinford, McReynolds, Hardcastle, Brown, Kolkhorst  
0 nays  
4 absent — Christian, Miller, Green, Hupp

**WITNESSES:** For — Jerry Walzel, Texas Produce Association  
Against — None  
On — Jim Butler, Texas A&M University System; Ellen Peffley, Texas Tech University; Leonard Pike, Texas Agricultural Experiment Station

**DIGEST:** CSHB 2443 would establish the Texas Food for Health Advisory Council to coordinate food-for-health research programs, promote the use of these programs by fruit and vegetable growers and state and federal agencies, promote increased consumption of produce grown in Texas, and coordinate research to produce more nutritious fruits and vegetables. The bill would establish a sunset date of September 1, 2005, for the council.

The council would comprise one representative of the Texas Department of Agriculture (TDA) appointed by the agriculture commissioner and eight members appointed jointly by the health commissioner and the vice chancellor for the Texas A&M University System's agriculture program, at least four of whom would have to represent the horticulture, nutrition, or produce industries or health agency. Members would serve staggered six-year terms. The presiding officer would have to be appointed either by the health commissioner and the vice chancellor or by the council members. The council would have to meet at least once each calendar quarter.

The council would be administratively attached to the Texas Agricultural Experiment Station, which would have to provide support staff to the council. The council could retain general counsel.

The council would be subject to the open meetings and administrative procedure laws. Its duties would include adopting necessary procedures for administration, issuing requests for research proposal and awarding grants, developing educational materials that promote the benefits of consuming produce, and working with other agencies and with produce associations to develop educational materials and programs related to appropriate methods of storing, preparing, and serving fresh produce.

The council could accept gifts and grants from public and private sources and would direct the spending of funds appropriated for council programs.

The Texas Agricultural Experiment Station would have to prepare an annual report on funds received and disbursed, progress in improving health benefits of produce grown in Texas, development of an information system to share health information, and recommendations for improving consumers' health through increased consumption of produce. The report would have to be submitted to the governor, lieutenant governor, House speaker, agriculture commissioner, health commissioner, vice chancellor for the Texas A&M agriculture program. TDA would have to serve as a resource for and advisor to the council.

This bill would take effect September 1, 2001.

NOTES:

The committee substitute changed the filed version by specifying that one of the council members must be a TDA representative appointed by the agriculture commissioner; by adding the requirement for an annual report by the Texas Agricultural Experiment Station; and by requiring TDA to serve as an advisor to the council.

The companion bill, SB 1454 by Lucio, passed the Senate on the Local and Uncontested Calendar on April 11. The House Agriculture and Livestock Committee reported SB 1454 favorably, without amendment, on April 26, making it eligible for consideration in lieu of HB 2443.