

Legislative History for Connecticut Act

PA 14-126

HB5258

House	1208-1215	8
Senate	3453, 3474, 3480-3481	4
General Law	290, 291-293, 307-309, <u>313-314, 420, 421</u>	11
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2014**

**VOL.57
PART 4
1027 - 1360**

pat/gbr
HOUSE OF REPRESENTATIVES

204
April 16, 2014

Have all the members voted? Have all the members voted? Please check the board to see that your vote has been properly cast.

If all the members have voted the machine will be locked and the Clerk will take a tally. The Clerk will announce the tally.

THE CLERK:

House Bill 5055 as amended by House "A".

Total number voting	143
Necessary for passage	72
Those voting Yea	120
Those voting Nay	23
Those absent and not voting	7

THE CHAIR:

The bill as amended passes. Will the Clerk please call Calendar Number 128.

THE CLERK:

On Page 10, Calendar Number 128, Favorable Report of the Joint Standing Committee on General Law, House Bill Number 5258 AN ACT CONCERNING BAKERIES AND FOOD MANUFACTURING ESTABLISHMENTS.

DEPUTY SPEAKER SAYERS:

Representative Baram, you have the floor, sir.

REP. BARAM (15th):

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Thank you, Madam Speaker. I move for acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER SAYERS:

The question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Baram, you have the floor, sir.

REP. BARAM (15th):

Thank you, Madam Speaker. This bill adds food warehouses to existing statutes governing bakeries and food manufacturing establishments.

The purpose of making food warehouses part of the statute is to create a list or inventory of food warehouses which are estimated to be in the 400 to 500 volume range in our state, so that we can identify where food is being stored for purposes of inventory, inspection, and if any kind of a declaration of contamination of food was issued by the FDA or the State of Connecticut, we would know where food is being warehoused.

This bill will help promote public safety and public health, and I think it's a great addition to our State Statutes.

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Madam Speaker, the Clerk has amendment LCO 3709.

I would ask that the Clerk call the amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER SAYERS:

Will the Clerk please call LCO Number 3709, which will be designated House Amendment Schedule "A".

THE CLERK:

LCO Number 3709 designated House "A", and offered by Representative Baram and Senator Doyle.

DEPUTY SPEAKER SAYERS:

The Representative seeks leave of the Chamber to summarize the Amendment. Is there any objection to summarization? Is there any objection? Hearing none, Representative Baram, you may proceed with summarization.

REP. BARAM (15th):

Thank you, Madam Speaker. The Amendment merely makes the food warehouse section of the statute a separate section and indicates that food warehouses will only have to register.

The reason why the registration is being required is that this only involves the storage of food for wholesale distribution. It doesn't involve the making or concoction of food items like a bakery or a

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manufacturing plant would do, but it still gives the -

DEPUTY SPEAKER SAYERS:

The Chamber will stand at ease.

(Chamber at ease.)

The House will come back to order.

Representative Baram, I believe you have the floor.

REP. BARAM (15th):

Thank you, Madam Speaker. I was just concluding that food warehouses will be required to register only because they don't involve the making of food or baking or mixing of various ingredients. It's just for storage for warehouse distribution.

This bill has no fiscal note and it would take effect upon passage. I move adoption and passage of the bill.

DEPUTY SPEAKER SAYERS:

The question before the Chamber is adoption of House Amendment Schedule "A". Will you remark on the Amendment?

Representative Carter of the 2nd.

REP. CARTER (2nd):

Thank you. One question, through you, Madam Speaker, to the proponent of the Amendment.

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DEPUTY SPEAKER SAYERS:

Please prepare your question, sir.

REP. CARTER (2nd):

I notice in the Amendment when we're taking a food warehouse, and it is talking about a food warehouse being something where they're doing wholesale distribution.

Is it the intention, then that this will not affect restaurants? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Baram.

REP. BARAM (15th):

Through you, Madam Speaker, that is correct. Again, it's for the storage of food for distribution for wholesale.

DEPUTY SPEAKER SAYERS:

Representative Carter.

REP. CARTER (2nd):

Through you, Madam Speaker, then how would this affect a large chain store such as a Costco, B.J.'s, where they're actually storing food, using it to create something, to make food and then distributing it? Would it affect those large stores? Through you, Madam Speaker.

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DEPUTY SPEAKER SAYERS:

Representative Baram.

REP. BARAM (15th):

Through you, Madam Speaker, as long as the company like Costco was not mixing ingredients or doing actual baking for those products that are being held in storage, they would not be subject to the licensing requirement. They would be considered merely a storage facility.

Once they start with any baking or mixing of ingredients, then they would be governed by the other sections, which govern bakeries and food manufacturers.

DEPUTY SPEAKER SAYERS:

Representative Carter.

REP. CARTER (2nd):

I thank the good Chair for his answers, and ladies and gentlemen, this Amendment seems like a very good change to what was a good bill, so I'm supporting it. Thank you.

DEPUTY SPEAKER SAYERS:

Will you remark further? Will you remark further on the Amendment that is before you? If not, I will try your minds.

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All those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER SAYERS:

Those opposed, nay? The ayes have it. The
Amendment is adopted. Will you remark further on the
bill as amended? Will you remark further on the bill
as amended?

If not, will staff and guests please come to the
Well of the House. Will members please take your
seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll.
Members to the Chamber please.

The House of Representatives is voting by Roll.
Members to the Chamber please.

DEPUTY SPEAKER SAYERS:

Have all the members voted? Have all the members
voted? Please check the board to see that your vote
has been properly cast. If all the members have
voted, then the machine will be locked and the Clerk
will take a tally.

The Clerk will announce the tally.

THE CLERK:

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HOUSE OF REPRESENTATIVES

211
April 16, 2014

House Bill 5258 as amended by House "A".

Total number voting	145
Necessary for passage	73
Those voting Yea	145
Those voting Nay	0
Those absent and not voting	5

DEPUTY SPEAKER SAYERS:

The bill as amended passes. Will the Clerk
please call Calendar Number 301.

THE CLERK:

On Page 25, Calendar Number 301, Favorable Report
of the Joint Standing Committee on Planning and
Development. Substitute House Bill 5581 AN ACT
CONCERNING SEWER ASSESSMENT APPEALS AND THE APPROVAL
OF CERTAIN PROPERTY TAX EXEMPTIONS.

DEPUTY SPEAKER SAYERS:

Representative Dan Fox.

REP. FOX (148th):

Thank you, Madam Speaker. Madam Speaker, I move
for acceptance of the Joint Committee's Favorable
Report and passage of the bill.

DEPUTY SPEAKER SAYERS:

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CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2014**

**VETO
SESSION**

**VOL. 57
PART 11
3246 – 3508**

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SENATE

268
May 7, 2014

SENATOR LOONEY:

Thank you, Mr. President. Moving now to Calendar Page 7, Calendar 345, House Bill 5443, move to place on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Mr. President. Moving to Calendar Page 9, Calendar 417, House Bill 5410, move to place on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Mr. President. Moving to Calendar Page 10 where there are three items. The first, Calendar 420, House Bill 5258, move to place on the Consent Calendar.

THE CHAIR:

(The President in the Chair.)

So ordered, sir.

THE CHAIR:

Oh, thank you, Madam President. Madam President, Calendar Page 10, Calendar 421, Calendar 5263 move to place on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

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May 7, 2014

Calendar 334, House Bill 5339.

Calendar 336, House Bill 5056.

On Page 7, Calendar 345, House Bill 5443.

On Page 9, Calendar 417, House Bill 5410.

On Page 10, Calendar 420, House Bill 5258.

Calendar 421, House Bill 5263.

Calendar 424, House Bill 5439.

On Page 11, Calendar 429, House Bill 5581.

On Page 12, Calendar 445, House Bill 5418.

Calendar 438, House Bill 5336.

On Page 13, Calendar 453, House Bill 5133.

Calendar 446, House Bill 5150.

Calendar 452, House Bill 5531.

On Page 14, Calendar 457, House Bill 5516.

Calendar 455, House Bill 5325.

Calendar 456, House Bill 5440.

Calendar 459, House Bill 5321.

Calendar 461, House Bill 5140.

On Page 15, Calendar 468, House Bill 5450.

Calendar 465, House Bill 5341.

On Page 16, Calendar 474, House Bill 5337.

Calendar 469, 5538.

Calendar 473, House Bill 5328.

On Page 17, Calendar 496, House Bill 5115.

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May 7, 2014

SENATOR LOONEY:

If we might pause for just a moment to verify a couple of additional items.

Madam President, to verify an additional item, I believe it was placed on the Consent Calendar and Calendar Page 30, on Calendar Page 30, Calendar 592, Substitute for House Bill 5476.

THE CHAIR:

It is, sir.

SENATOR LOONEY:

It is on? Okay. Thank you. Thank you, Madam President. If the Clerk would now, finally, Agenda Number 4, Madam President, Agenda Number 4 one additional item ask for suspension to place up on Agenda Number 4 and that is, ask for suspension to place on the Consent Calendar an item from Agenda Number 4.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President, and that item is Substitute House Bill Number 5566 from Senate Agenda Number 4.

Thank you, Madam President. If the Clerk would now, if we might call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk. Will you please call for a Roll Call Vote on the Consent Calendar. The machine will be opened.

THE CLERK:

An immediate Roll Call has been ordered in the Senate.

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SENATE

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May 7, 2014

An immediate Roll Call on Consent Calendar Number 2 has been ordered in the Senate.

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk will you please call the tally.

THE CLERK:

Consent Calendar Number 2.

Total number voting	36
Necessary for adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The Consent Calendar passes. Senator Looney.

SENATOR LOONEY:

Thank you, Madam President. Two additional items to take up before the, our final vote on the implementer. If we might stand for just, for just a moment.

The first item to mark Go is, Calendar, to remove from the Consent Calendar, Calendar Page 22, Calendar 536, House Bill 5546. If that item might be marked Go.

And one additional item, Madam President, and that was from Calendar, or rather from Agenda Number 4, ask for suspension to take it up for purposes of marking it Go, that is House Bill, Substitute for House Bill 5417. Thank you, Madam President.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GENERAL
LAW
PART 1
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**2014
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HB 5261
SB 206
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HB 5260

COMMISSIONER WILLIAM RUBENSTEIN: Good afternoon, Senator Doyle, Representative Baram -- Baram, Senator Witkos, and members of the General Law Committee. It's really a pleasure to be here today and especially to be outside the legislative office building among -- among our constituents. It's -- it's particularly good to be here today.

Your agenda today includes seven bills that were proposed by the Department of Consumer Protection so I want to start by thanking you for raising those bills for a public hearing. I'm providing you with the opportunity to testify today.

So, let me begin. I'll run through these bills in -- in order and just (inaudible) and, hopefully, we'll be able to go from there. Let me begin with Senate Bill 205, which is AN ACT THAT REALLY IS MAKING MINOR AND TECHNICAL CORRECTIONS AND CHANGES RATHER TO THE REAL ESTATE APPRAISAL AND APPRAISAL MANAGEMENT COMPANY STATUTES.

The Department of Consumer Protection has the responsibility for licensing and -- and oversight of real estate appraisals and appraisal management companies. That -- those statutory provisions are in chapter 400g of the General Statutes. And the purpose of this bill before you is to make minor and technical changes to these statutes really solely as a result of a compliance review that was conducted by the appraisal subcommittee of the Federal Financial Institutions Examination Council.

This body is established and charged with auditing every state statutory and regulatory structure, be a federal law referred to as Title XI of the Financial Institutions Reform

Recovery and Enforcement Act of 1989. Following an audit of Connecticut statutes in these areas, the appraisal subcommittee provided a detailed compliance review -- report to the department.

While the audit stated that Connecticut is quote, substantially in compliance with the federal requirements, it noted some discrepancies and recommended that our statutes be amended to make numerous minor and technical changes to be consistent with federal guidelines.

Senate Bill 205 is before you for the sole purpose of making these amendments to the act as recommended. Examples include removing references to limited residential appraisers and limited general appraisers which are -- are -- appraisal types that we have not licensed in -- in a number of years and there are currently no existing licensees, but we're adding references to provisional licensing as -- as requested, and you'll see as you go through the bill various other small technical changes.

Failure to make these changes outlined in the audit may jeopardize future DCP licensed appraisers from having their work approved in federally-related transactions. So it's important that we be in compliance with federal law so that our appraisers are not at a disadvantage in those programs.

Second, is House Bill 5258, which is AN ACT CONCERNING BAKERIES AND FOOD MANUFACTURING ESTABLISHMENTS, but really what we're -- what we're focusing here today are food warehouses.

So the bill makes several changes to the bakeries and food manufacturing establishment

chapter. The most important is our proposal to include food warehouses within the definition of food manufacturing establishments. At the present time, neither DCP nor any state agency has knowledge of how many and where food warehouses are located throughout the state. This proposal is offered so that a centralized list of food warehouses can be obtained and maintained by the Department's Food and Standards Division.

The primary benefit of including food warehouses in the definition is to ensure that food safety to the public. Food warehouses may not seem to be at the top of the list of establishments where food may be compromised but, in fact, the department believes that there is danger to the public if safe and sanitary conditions in warehouses are not maintained. By including food warehouses in the statute, the department will have the opportunity to inspect these premises and ensure that they are kept in sanitary condition free from vermin.

Under current practices when the FDA finds or is made aware of food contamination issues, DCP is notified and our work to locate, inspect, and pull products off the shelves begins. However, without a centralized list of all food warehouses throughout the state, we are unable to promptly and efficiently identify where potentially dangerous products are being warehoused. This gap should be filled to allow us to carry out our mission of protecting the public from unsafe food.

Finally, and importantly, the proposal is not intended as a vehicle to raise significant state funds. By including food warehouses within the bakery and food manufacturing establishment chapter, the annual registration

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1:00 P.M.

fee would be \$20. We estimate that there may be 4 to 500 such food warehouses in the state, but frankly we don't know how many. We don't have a solid estimate of the number. That's part of the problem.

The bill also makes several minor and technical language changes in the statute including adding the terms repacking and cutting within the definition. These changes are consistent with language suggested by the Food and Drug Administration.

The third bill I'd like to talk to you today is House Bill 5261, which is AN ACT CONCERNING THE UNFAIR SALES PRACTICES ACT AND COUNTERFEIT COMMODITIES.

So the bill, what it does, is amend the Unfair Sales Practice Act, which falls under our jurisdiction. It specifically it adds a new definition of counterfeit commodity and it prohibits any entity from selling or offering to sell a counterfeit commodity.

The department offers this proposal in response to a growing problem of counterfeit products flowing into the state whose sale and use may place the public in significant danger. Although DCP has long been vigilant on consumer products that may be noncompliant with numerous other statutory requirements, such as being mislabeled or misbranded, or commodities who -- whose weight or volume has been misrepresented, this proposal provides significant enforcement improvements.

By adding a definition for counterfeit commodity to the statute, there is no doubt that the statute covers these kind of counterfeit commodities. The department will have authority to immediately pull these

statutes, that that's required under -- if they have a real estate appraisal. So I'd like some feedback on that in the future --

COMMISSIONER WILLIAM RUBENSTEIN: Well, that's an issue that's been percolating for -- for many years and -- and a large disagreement between certain parts of the real estate community and others. Historically the concern has been that -- that any -- any opinion of valuation should be based upon appropriate training and ability to -- to evaluate. We -- we haven't looked at -- at a bill designed to do that. So, you know, I don't have a particular comment on the bill, I just know it's -- it's an area of controversy between various segments of the real estate industry.

SENATOR WITKOS: Okay. Thank you.

5258, bakeries in the food manufacturing. Would they be exempt nonprofits from paying the registration fee of \$20?

COMMISSIONER WILLIAM RUBENSTEIN: The nonprofit warehouses? Not -- not as drafted, but, you know, the, you know --

SENATOR WITKOS: Would food kitchens fall under a food warehouse or a local pantry -- excuse me, a food bank or anything like that? Would that -- does that fall under the definition of a warehousing of food?

COMMISSIONER WILLIAM RUBENSTEIN: You know, I -- I don't believe so. You know, any more differently than a -- than a restaurant stock would.

SENATOR WITKOS: Then where --

COMMISSIONER WILLIAM RUBENSTEIN: So -- so, you know what we're concerned about is we have lots of food distributors and those food distributors are essentially wholesaling food, they're buying it from all sorts of -- of manufacturers across the country. They're storing it in warehouses, you know, across the state and then for then further transfer to the -- the end user, whether it's -- it's a restaurant or a grocery store or otherwise. And those are the entities that we aim to -- to want to locate, know whether or not they're operating under sanitary conditions and -- and more -- as importantly where -- where we need to provide notification of -- of recalls of products.

SENATOR WITKOS: If you're talking about doing inspections of those to see if they're operating in a sanitary fashion, what kind of impact would that have on a budget?

COMMISSIONER WILLIAM RUBENSTEIN: Well, you know, the -- the inspections are often done of -- of all these facilities on -- on random and -- and rotating bases. You know, we don't know what the number is, but -- but the -- the -- even if we got no more resource to do that, just knowing where these -- these entities are and having the ability to inspect them on random basis, is -- is a far, far better system than we have.

SENATOR WITKOS: How -- how many food warehouses do we have in the State of Connecticut now to inspect?

COMMISSIONER WILLIAM RUBENSTEIN: We don't know. We -- we -- our -- our guess is somewhere between 4 and 500, but the fact is that we don't know.

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1:00 P.M.

SENATOR WITKOS: Of the ones that we do, the manufacturing establishments, how many of those do we have, approximately?

COMMISSIONER WILLIAM RUBENSTEIN: You know, I -- I don't know the answer. We'll get you that.

SENATOR WITKOS: Okay. How -- how many of our staff do those inspections?

COMMISSIONER WILLIAM RUBENSTEIN: I think we have nine food inspectors?

SENATOR WITKOS: Nine? Okay.

On the Unfair Sales Practice Act, do we eliminate due process at all? Right now, I guess, my understanding is that the department has to go through a process to take a sample, have it analyzed, and then only if you found it to be certain that it's mislabeled or misrepresented, then you can take it. But you're asking for the agents to go in and immediately pull it off the shelf when it hasn't been proven that it's been mislabeled or represented.

HB 5261

So how -- how -- in my opinion, that affects due process. So how do you -- how -- how does that work with something that's a T-shirt or a CD where it's not something that would be harmful to somebody's safety, but --

COMMISSIONER WILLIAM RUBENSTEIN: If -- if something's mislabeled, we -- we can take it off the shelf just by -- by observation if it's -- if it's mislabeled, if you can tell by -- by observation. But -- but, you know, you know -- you know, the -- the due process, you know, issue, is -- is that to -- to the extent that -- that you're giving somebody a -- a quick hearing afterwards, you're not -- you're

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1:00 P.M.

delivery now of say, 150 gallons or 200 gallons?

COMMISSIONER WILLIAM RUBENSTEIN: Well, they -- I think they can currently have minimum deliveries, but they can't charge a surcharge, you know -- you know, if -- if they're delivering a hundred gallons or more or non-gallons.

SENATOR WITKOS: Thank you.

Thank you, Mr. Chair.

SENATOR DOYLE: Thank you.

Any further questions from the committee?

Representative.

REP. D'AMELIO: Thank you.

Good afternoon, Commissioner.

COMMISSIONER WILLIAM RUBENSTEIN: Good afternoon.

REP. D'AMELIO: Getting back to the food warehouses. You -- you -- we do have the distributors here in -- in the State of Connecticut. Are they currently being inspected?

HB 5258

COMMISSIONER WILLIAM RUBENSTEIN: When we -- when we, you know, we -- we inspect them when we know where they are and we know who they are. So -- so we try to get in there. We just don't have a registry of them, the ones that we're aware of we do -- we both inspect and we also work with on -- on recall notices. Our concern is that there's lots of -- lots of warehouses that -- that we stumble upon all

the time that we're surprised are there in this nook and cranny or that nook and cranny.

REP. D'AMELIO: Well, if -- if they're not listed anywhere, I mean, do they have a license to -- to operate in the State of Connecticut? I'm trying to get a handle on what -- like warehouses. There's several distributors that are out there that are legitimate. So are there a lot of distributors out there that are not?

COMMISSIONER WILLIAM RUBENSTEIN: Yeah. They're not required under current statutes to -- to have a -- a license with the Department of Consumer Protection whether or not they have to have, you know, they have to have zoning approval, obviously, and be licensed to do business in the state and have all their tax affairs in order.

But in terms of being a food establishment, they're not required to be licensed by us, registered. It's not -- it's not really a license. It's -- it's a registration.

REP. D'AMELIO: So the distributors that are out there now are -- are -- they're not being inspected at all; none of the warehouses that are out there delivering food to restaurants and bars and such?

COMMISSIONER WILLIAM RUBENSTEIN: You -- you know, to the extent that we know about them, I mean, our -- our food inspectors are conscientious, so we're in communication with the ones that we know about. We're in communication with our recalls. From time to time we do -- we do random inspections of -- of these facilities; so -- so yeah. The answer is -- is that there is not a -- a formal process by which that happens. That's correct.

Department of Consumer Protection



Testimony of William M. Rubenstein
Commissioner of Consumer Protection

HB 5258 HB 5261
SB 206 HB 5263
HB 5262 HB 5260

General Law Committee Public Hearing
February 25, 2014

Senator Doyle, Representative Baram, Senator Witkos, Representative Carter and distinguished members of the General Law Committee, I am William Rubenstein, Commissioner of Consumer Protection. Your agenda today includes seven bills that were introduced by my Department, so let me begin by thanking you for agreeing to raise these bills for the consideration of the committee and for providing me with the opportunity to testify in support of these important proposals.

S B No. 205 (RAISED) AN ACT MAKING MINOR AND TECHNICAL CHANGES TO REAL ESTATE APPRAISER AND APPRAISAL MANAGEMENT COMPANY STATUTORY DEFINITIONS.

The Department of Consumer Protection has responsibility for licensing and oversight of Real Estate Appraisers and Appraisal Management Companies with statutory authority provided in chapter 400g. The purpose of this bill before you is to make minor and technical changes to these statutes solely as a result of a compliance review conducted by the Appraisal Subcommittee of the Federal Financial Institutions Examination Council. This body is established and charged with auditing every state's statutory and regulatory structure, via a federal law referred to as Title XI of the "Financial Institutions Reform, Recovery and Enforcement Act of 1989." Following an audit of Connecticut's statutes in these areas, the Appraisal Subcommittee provided a detailed compliance review report to the Department. While the audit stated that Connecticut is "substantially" in compliance with federal requirements, it recommended that our statutes be

amended to make numerous minor and technical changes to be consistent with federal guidelines. Senate Bill 205 is before you for the sole purpose of amending the act to make these minor and technical changes. Examples include removing references to "limited residential appraiser," and "limited general appraiser," and adding references to a "provisional license" which is the type of license now recognized by federal guidelines. Failure to make the changes outlined in the audit may jeopardize future DCP licensed appraisers from having their work approved pursuant to a federally related transaction.

H. B. No. 5258 (RAISED) AN ACT CONCERNING BAKERIES AND FOOD MANUFACTURING ESTABLISHMENTS.

This bill makes several changes to the Bakeries and Food Manufacturing Establishments chapter under the jurisdiction of the Department of Consumer Protection. The most important of these changes is our proposal to include food warehouses within the definition of "food manufacturing establishments." At present time, neither DCP, nor any state agency has knowledge of how many, and where food warehouses are located throughout the state. This proposal is offered so that a centralized list of food warehouses can be obtained and maintained by the Department's Food & Standards Division

The primary benefit of including food warehouses in the definition is to ensure food safety to the public. Food warehouses may not seem to be at the top of the list of establishments where food safety may be compromised, but in fact, the Department believes that there is danger to the public if safe and sanitary conditions in warehouses are not maintained. By including food warehouses in the statute, the Department will have the opportunity to inspect these premises and ensure they are kept in a sanitary condition and free from vermin.

Under current practices, when the FDA finds, or is made aware of food contamination issues, DCP is notified and our work to locate, inspect and pull product off the shelves begins. However, without a centralized list of all food warehouses throughout the state, we are unable to promptly and efficiently identify where potentially dangerous products are being warehoused. This gap should be filled to allow us to carry out our mission of protecting the public from unsafe food.

Finally, and importantly, this proposal is not intended as a vehicle to raise significant state funds. By including food warehouses within the "Bakeries and Food Manufacturing Establishments chapter," the annual registration fee would be \$20.00. We estimate that there may be 400-500 such food warehouses in the state, but freely admit that we don't know how solid that estimate is

The bill also makes several minor & technical language changes in the statute, including adding the terms "repacking" and "cutting" within the definition. These changes are consistent with language suggested by the FDA