

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: SB1195

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

2. Patron: Stuart

3. Committee: Passed both Houses.

4. Title: Produce safety; farm inspections; penalties.

5. Summary The bill prohibits certain farms from violating the federal regulations that set minimum standards for the safe growing, harvesting, packing, and holding of fruits and vegetables. The bill authorizes the Board of Agriculture and Consumer Services to adopt regulations to carry out the purposes of the law and gives the Commissioner of Agriculture and Consumer Services free access at all reasonable hours to any farm subject to the federal regulations to inspect the farm and take samples. The Commissioner also is authorized to seize and condemn or destroy certain produce that is believed to violate the federal regulations or state law. The bill provides that any person who violates the provisions of the bill is subject to a civil penalty of up to \$1,000 per violation. Such penalties shall be deposited to the Virginia Natural Resources Commitment Fund.

6. Budget Amendment Necessary: No. The necessary federal appropriation is included in Item 97 of SB900.

7. Fiscal Impact Estimates: Final.

8. Fiscal Implications: The US Food and Drug Administration (FDA) is providing support to states for implementation of the Produce Safety Rule. In September 2016, FDA awarded the Department of Agriculture and Consumer Services a five-year cooperative agreement grant of \$3.6 million to implement a produce safety program. Item 97 of SB900/HB1500 includes \$725,000 in federal appropriation and six positions to support the grant and associated work.

The bill authorizes the Board to levy a civil penalty of up to \$1,000 per violation, to be deposited to the Virginia Natural Resources Commitment Fund. Revenue from such penalties cannot be determined at this time.

9. Specific Agency or Political Subdivisions Affected: Department of Agriculture and Consumer Services; Department of Conservation and Recreation.

10. Technical Amendment Necessary: No.

11. Other Comments: None.