

Department of Planning and Budget

2020 Fiscal Impact Statement

1. Bill Number: HB119

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: Knight

3. Committee: Passed both Houses.

4. Title: Milk; definition, misbranding product, prohibition.

5. Summary: Defines milk as the lacteal secretion of a healthy hooved mammal and provides that a food product is unlawfully misbranded if its label states that it is milk and it fails to meet such definition, except for human breast milk. The bill directs the Board of Agriculture and Consumer Services to implement a plan to ban all products misbranded as milk.

The substitute bill includes a second enactment clause that states that the provisions of this act shall not become effective until six months after the enactment, on or before October 1, 2029, of a similar act in any 11 of the following states: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and West Virginia.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final.

8. Fiscal Implications: This bill will not become effective until six months after the enactment, on or before October 1, 2029, of a similar act in any 11 states listed in the bill. Any fiscal impact on the Department of Agriculture and Consumer Services (VDACS) is indeterminate at this time. The level of regulatory oversight required by this bill cannot be determined. It is unclear whether the bill's proposed ban on the sale of plant-based beverages labeled as milk would require regulatory oversight beyond the enforcement activities required for existing misbranded products. Due to the proliferation of plant-based beverages labeled as milk in grocery stores and other food establishments, VDACS indicates that if the intent is for VDACS to perform oversight beyond the enforcement activities required for existing misbranded projects, the agency will require additional resources.

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

10. Technical Amendment Necessary: No.

11. Other Comments: SB510 is similar to this bill.