

Department of Planning and Budget 2021 Fiscal Impact Statement

1. Bill Number: SB1194

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. Patron: Obenshain

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Produce safety; sunset.

5. Summary: Removes the sunset date for Chapter 51.1 (§ 3.2-5146 et seq.) of Title 3.2 on produce safety, which was enacted in 2017 and set to expire upon the effective date of the repeal of certain federal regulations or on July 1, 2022, whichever occurs sooner. The chapter will still expire upon the effective date of the repeal of such federal regulations that require the provisions of Chapter 51.1 to exist.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary.

8. Fiscal Implications: This bill removes the sunset date for Chapter 51.1 (§ 3.2-5146 et seq.) of Title 3.2 on produce safety, which was enacted in 2017 and is set to expire upon the effective date of the repeal of certain federal regulations or on July 1, 2022, whichever occurs sooner. If the “sunset clause” is not removed through passage of this bill, produce farmers in Virginia will come under the direct regulatory authority of the United States Food and Drug Administration (FDA). FDA provides grant funds to VDACS to cover all expenses associated with operating the Produce Safety Program, which ensures the safety of raw agricultural produce grown by certain produce wholesalers in Virginia. If this program is disbanded these funds will no longer be available. VDACS receives federal grant funding of \$681,000 annually to support seven positions in the Produce Safety Program.

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.