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# VIRGINIA STATE BUDGET

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2019 Session

## Budget Bill - HB1700 (Chapter 854)

Bill Order » Office of Agriculture and Forestry » Item 94

Department of Agriculture and Consumer Services

Item 94	First Year - FY2019	Second Year - FY2020
<b>Food Safety and Security (55400)</b>	<b>\$10,325,722</b>	<b>\$10,340,722</b>
Regulation of Food Establishments and Processors (55401)	\$5,004,427	\$5,019,427
Regulation of Meat Products (55402)	\$4,083,362	\$4,083,362
Regulation of Milk and Dairy Industry (55403)	\$1,237,933	\$1,237,933
Fund Sources:		
General	\$5,771,125	\$5,771,125
Special	\$637,823	\$637,823
Federal Trust	\$3,916,774	\$3,931,774

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Authority: Title 3.2, Chapters 51, 51.1, 52, 53, 54, 55, and 60, Code of Virginia.

A. Each establishment under the authority of the Regulation of Meat Products that is requesting overtime or holiday inspection shall pay that part of the actual cost of the inspection services.

B. The Commissioner, Department of Agriculture and Consumer Services, is authorized to collect an annual inspection fee, not to exceed \$40, from all establishments that are subject to inspection pursuant to Title 3.2, Chapter 51, Code of Virginia. However, any such establishment that is subject to any permit fee, application fee, inspection fee, risk assessment fee, or similar fee imposed by any locality shall be subject to this annual inspection fee only to the extent that the annual inspection fee and the locally-imposed fee, when combined, do not exceed \$40. This fee structure shall be subject to the approval of the Secretary of Agriculture and Forestry. Any food bank, second harvest certified food bank, food bank member charity, or other food related activity which is exempt from taxation under 26 U.S.C. § 501 (c) (3), which maintains a food handling or storage facility, or any food-related program operated by any Community Services Board, as defined in Title 37.2, Chapter 5, Code of Virginia, shall be exempt from this inspection fee. Also, a producer of fruits and herbs that are dried, without the addition of any other ingredients, and sold only at a local farmers' market shall be exempt from the fee.

C. The Virginia Department of Agriculture and Consumer Services and the Virginia Department of Health shall collaborate to develop a long-term plan to adequately fund the food safety and restaurant inspection programs. In developing the plan, the departments shall seek input from representatives from local governments, private sector organizations, and the public. The objective of the plan is to develop a financial strategy for the programs that will protect the public and the business sector without undue burdens. The plan shall address, but not be limited to, these factors: (1) the likelihood of additional general fund resources for this activity; (2) projected workloads, including the total number of establishments subject to inspection and by type of establishment; (3) cost containment and efficiency strategies in program management through increased reliance upon technology; (4) options to fund the programs or a portion of the programs through a flexible fee schedule that considers the number, size, and type of establishments and the time and resources to inspect such establishments; (5) the

feasibility of unifying the food safety inspections currently performed by the two agencies and (6) legislation to implement the plan. The departments shall submit the plan no later than October 1, 2018, to the Governor and the Chairmen of the House Appropriations and Senate Finance Committees.