

BILL ANALYSIS

C.S.H.B. 894
By: Hodge
Public Health
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, farmers' markets are defined as food establishments and are therefore not allowed to provide samples of agricultural products without bias. Many visitors to these markets expect to be able to sample the produce being sold before purchasing. The current law prevents open-air produce stands and/or farmers' markets from providing consumers with samplings of sliced product.

C.S.H.B. 894 would exempt farmers' markets from the current requirement, thus allowing them to provide samples of agricultural products.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 894 would amend Chapter 437, Health and Safety Code, by adding Section 437.020 which would allow municipally owned farmer's markets to provide samples of their produce to their customers.

EFFECTIVE DATE

Upon passage, or , if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute deletes the provision that the municipally owned farmers' markets be located in a municipality with a population of one million or more.