

By: Hall

S.B. No. 1409

A BILL TO BE ENTITLED

AN ACT

relating to the administration, implementation, and enforcement of federal produce safety standards by the Department of Agriculture.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 91.009(a), (c-1), and (d), Agriculture Code, are amended to read as follows:

(a) The department shall administer, implement, and enforce in this state ~~[is the lead agency for the administration, implementation, and enforcement of, and education and training relating to,~~] the United States Food and Drug Administration Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption (21 C.F.R. Part 112) or any successor federal produce safety rule or standard.

(c-1) The department may enter into a cooperative agreement, interagency agreement, grant agreement, or memorandum of understanding with a federal or state agency as necessary to carry out the department's ~~[for the]~~ administration, implementation, or enforcement of this section.

(d) The department may adopt rules to administer, implement, and enforce this section. The department's rules may not impose additional or more burdensome requirements than those provided by the applicable federal rule or standard described by Subsection (a). In the development of rules under this section, the department may consider relevant state, federal, or national

1 standards and may consult with federal or state agencies.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2019.