



HB 2060A: Food Safety – Unlicensed Establishments

Contact Lauren Henderson, Assistant Director
503-986-4588/lhenderson@oda.state.or.us
Isaak Stapleton, Program Director
503-986-4727/istapleton@oda.state.or.us

Description

- ODA Food Safety Program has limited options to compel compliance from firms who do not pay license fees allowing these firms continue to operate while ODA continues to provide food safety oversight.
- HB 2060 seeks authority to close and condemn establishments who do not obtain or renew their license in a timely manner as an additional option to address unlicensed operators.

Background

ODA has limited tools to compel compliance from food establishments who do not obtain or who fail to renew their ODA Food Safety license. Currently the program contacts these operators by phone, email, and eventually certified letter. The program has the authority to assess a civil penalty to these firms, but it is unlikely that these penalties will be paid given that the operators have already failed to pay their license fees.

While most of the program's licensees pay their license fees promptly, approximately 600 of these firms at any given time have either not paid their license renewal fees or have failed to obtain their initial license. ODA does not have clear statutory authority to stop these food establishment from operating. ODA has made the decision to continue to provide food safety oversight through inspections to support our mission of helping ensure safe food.

In order to address unlicensed operators, the program seeks clear and specific statutory authority to close and condemn establishments who do not license or renew their license in a timely manner. The original bill was amended to clarify that the department will follow notification requirements under statute and administrative rule to allow businesses time to comply with requirements.

Stakeholder Outreach

This bill was shared with members of the Food Safety Advisory Committee which included: NW Grocery Association, Food Northwest, Oregon Dairy Farmers Association, NORPAC, Darigold, OHW, Oregon Farmers Market Association, OSU, and Oregon Farm Bureau.