



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

SENATE BILL NO. 152

PRINTER'S NO. 124

PRIME SPONSOR: J. Ward

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY: SB 152 PN 124 repeals the Frozen Dessert Law, Act 215 of 1965. This legislation would take effect immediately.

ANALYSIS: This legislation repeals the Frozen Dessert Law, which requires the monthly testing of frozen desserts. Currently, testing is required and carried out by the PA Department of Agriculture (the Department) through both the Pennsylvania Code, Title 7 (Agriculture) Chapter 39 (Frozen Desserts Standards) and Chapter 59a (Milk Sanitation), as well as Pennsylvania Consolidated Statutes Title 3 (Agriculture) Chapter 57 (Food Safety).

FISCAL IMPACT: The Department supports the repeal because the testing and licensing requirements under the law are duplicative with the passage of federal and state food safety laws addressing retail and manufacturing food facilities.

The Department anticipates that not maintaining the program will result in cost savings, due to:

- Reduction in number of inspections of frozen dessert operations performed by staff in local health jurisdictions;
- Elimination of administrative time to process approximately 4,700 licenses annually;
- Eliminating administrative and inspection staff time trying to compile, log, and track monthly microbiological data;

Furthermore, while repeal of the existing statute will result in revenue loss of approximately \$168,000, such loss will be more than offset by the cost savings associated with supplies to print renewals and licenses, as well as reduction of credit card fees. Inspection staff overtime costs may also be reduced by freeing up the administrative time spent by field staff and thus enabling them to conduct additional inspections during normal business hours. This is especially significant in areas where there is a local or county health department that has retail authority oversight and would allow Department inspectors to focus elsewhere.

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House Appropriations Committee (D)

DATE: October 31, 2023

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.