

1 MR. PADULA: Good morning everyone. My name is Jerry  
2 Padula, and I'm an attorney with the Department of Consumer  
3 Protection. I've been designated by Commissioner William  
4 Rubenstein to be the hearing officer for this morning's public  
5 hearing on proposed regulations concerning Standards for Foods.  
6 Today is Monday, November 19, 2012, and the time now is 10:18 in  
7 the morning. We are in Room 119 of the State Office Building,  
8 which is located at 165 Capitol Avenue here in the Capital City  
9 of Hartford, Connecticut. On October 16, 2012, the Department  
10 of Consumer Protection published a Notice of Intent to Amend  
11 Regulations in the *Connecticut Law Journal*. These regulations  
12 are being proposed in accordance with the authority granted in  
13 the Connecticut General Statutes, §4-168a and 20-115. For the  
14 record, a copy of the **Connecticut Law Journal Notice** published  
15 on October 16, 2012, will be entered as Exhibit #1.

16 The **Fiscal Note** prepared by the agency, which reflects no  
17 fiscal impact on the agency, will be made part of the record and  
18 marked as Exhibit 2.

19 The Department performed a Small Business Impact Analysis,  
20 um, and has notified the Department of Small Business Affairs at  
21 the Department of Economic and Community Development of our  
22 intent to amend these regulations. Pursuant to Connecticut  
23 General Statutes, §4-168a, when drafting these proposed  
24 regulations, the Department considered methods that would  
25 accomplish the objectives of the applicable statutes while

1 minimizing the adverse impact on small businesses. This agency  
2 has specifically considered the five methods listed in  
3 subsection (b) of Connecticut General Statutes §4-168a.

4 Now, the **Small Business Impact Statement**, which is  
5 referred to within the introduction section of the *Connecticut*  
6 *Law Journal* publication, will be marked as Exhibit #3.

7 And finally, we received one written submission to date,  
8 which is a letter from Dr. Louis A. Magnarelli, the Director of  
9 the Connecticut Agricultural Experiment Station dated November  
10 16, 2012, which will be marked Exhibit #4.

11 I will mark additional exhibits as they are presented to  
12 me during the course of this public hearing.

13 Now, at this point, we will begin by having the  
14 individuals who signed the speaker sign-up sheet come forward to  
15 give their comments. You may leave written comments with me as  
16 well, and those documents will be entered into the record of  
17 this hearing. The first person to speak is Frank Greene of the  
18 Department of Consumer Protection's Division of Food and  
19 Standards.

20 MR. GREENE: Hi. My name is Frank Greene, and I'm the  
21 Director of the Division of Food and Standards for the  
22 Department of Consumer Protection. The primary purpose of these  
23 regulatory changes is to meet the requirements of, uh,  
24 Connecticut's Uniform Food and Drug and Cosmetic Act, uh, to be  
25 uniform with, and in interpretation, uh, and intent with the the

1 Federal Food, Drug, and Cosmetic Act, both in practice and  
2 interpretation.

3 Uh, this initiative is being undertaken at this time as a  
4 result of the Federal Food Safety Modernization Act signed into  
5 law by President Obama on January 4. FSMA, uh, enables the Food  
6 and Drug Administration to better protect public health by  
7 strengthening all facets of the food safety system. FSMA's  
8 intent is to build a formal system of collaboration with other  
9 government agencies, both domestic and foreign. In doing so,  
10 the statute explicitly recognizes that all food safety agencies  
11 need to work together in an integrated way to achieve public  
12 health goals.

13 Part of the system/capacity building requires the  
14 development and implementation of strategies to leverage and  
15 enhance the food safety system and defense capacities of state  
16 and local agencies. The means to accomplish this is with a new  
17 multi-year grant mechanism to facilitate investment in state  
18 capacity to more efficiently achieve national food safety goals.  
19 Connecticut is a recipient of one of these FSMA grants and is  
20 actively working with FDA to achieve FSMA goals. Thank you very  
21 much. Here's a copy of my remarks.

22 MR. PADULA: Oh thanks. We'll mark your comments,  
23 Director Greene, as, uh, Exhibit #5 for the record. Thank you.  
24 The next person on our list is Virginia Veneziano. Do you wish  
25 to make any, uh, comments today? Okay. Well, thank you for

1 attending. Are there any other comments for all the people  
2 present today? Okay. We will hold the record open, uh, for one  
3 week until Tuesday, November 27, 2012, at the close of business  
4 to allow any interested parties an opportunity to provide  
5 further written comment to the department directly to  
6 Commissioner William Rubenstein.

7 The agency will review the testimony and documents  
8 received and consider whether any revisions should be made to  
9 the regulations as published in the *Connecticut Law Journal*.  
10 Pursuant to the Uniform Administrative Procedures Act, we will  
11 then forward the proposed regulations to the Attorney General's  
12 office to be reviewed for legal sufficiency. If approved, the  
13 regulations will then be forwarded to the Regulation Review  
14 Committee of the General Assembly for consideration and approval  
15 before filing with the Secretary of State.

16 Okay. Are there any questions? Okay, with that, I'll  
17 note the time is now 10:23 in the morning, and this public  
18 hearing is now adjourned. Thank you all for attending and for  
19 your comments.

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CERTIFICATE

I, Karen Johnson, do hereby certify that the foregoing transcription is a true and accurate record to the best of my ability of the Regulation Hearing on Standards for Foods on Monday, November 19, 2012.

IN WITNESS WHEREOF, I sign my name this 3<sup>rd</sup> day of December, 2012.

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Karen Johnson

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December 3, 2012