

THE OHIO COUNCIL OF

Retail Merchants
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**Proponent Testimony on Sub. House Bill 65
House State & Local Government Committee**

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Good morning Chairwoman Anielski, Vice Chairman Hambley, Ranking Member Holmes and members of the House State & Local Government Committee. I am Lora Miller, Director of Governmental Affairs & Public Relations for the Ohio Council of Retail Merchants. I am here today on behalf of our members with retail food establishments and food service operations in support of Substitute House Bill 65 to change the way sanitarians are evaluated for purposes of ensuring thorough knowledge of the uniform food safety code, from an in-person visual assessment during RFE and FSO inspections to a written or electronic assessment.

You have heard from previous public health witnesses how the substitute bill's assessment format would be better than the current onerous process recently adopted by the Ohio Department of Agriculture and the Ohio Department of Health. Please allow me to provide you with the perspective of those being inspected by the sanitarians while the state of Ohio looks over the inspectors' shoulder.

The new evaluation process is terribly time consuming. A large grocery chain that had one of their central Ohio stores inspected shortly after the new process became effective had the inspection last more than twelve hours over a two-day period. Previously such an inspection would have taken half that time, never lasting the sanitarian's entire work day. For this particular grocer and others of similar size, the new evaluation process means that at least one person from store management (usually more) must drop everything and accompany the sanitarian and the state evaluator throughout the entire process. We find this type of measurement of knowledge to be unnecessarily burdensome and frankly, complete overkill.

Even worse than being overly time-consuming is the impact that the new process will have on future RTE and FSO license fees. Such fees are calculated using a complex methodology in the Ohio Revised Code that is based on the amount of time that goes into inspecting these establishments, which includes the sanitarian's preparation for the inspection, the inspection itself, and any follow-up required. Quite simply, increased inspection times equal greater cost to the local health department which in turn equals higher licensing fees. You may know that

grocery margins are very slim. Additional regulatory costs cannot simply be absorbed; they translate into higher prices for consumers. This is the case for even large national retailers. You can imagine the much greater burden that such increases place on independent retailers. As the state has already started this new evaluation process, increased licensing fees aren't merely possible—they are certain. Be prepared for the outcry from RTEs and FSOs in your district in about two years.

Chairwoman Anielski, Vice Chairman Hambley, Ranking Member Holmes and members of the Committee, I appreciate the opportunity to appear before you today in support of Substitute House Bill 65. Our thanks to the committee and our special thanks to Representative Hill for his leadership on this issue. I am available to try to answer any questions you may have.