

**Columbus Office**

Vern Riffe Center for Government  
77 S. High Street, 11th Floor  
Columbus, Ohio 43215-6111

Phone: (614) 466-8100

Fax: (614) 719-0005

Email: Rep77@ohiohouse.gov

Website: www.ohiohouse.gov



**Committees**

Ways and Means, Chairman  
Agriculture and Rural Development  
Public Utilities

**Special Appointments**

Tax Expenditure Review Committee, Chair  
Ohio 2020 Tax Policy Study Commission,  
Co-Chair  
Study Committee on Receivership Laws

**Tim Schaffer**  
**State Representative, 77<sup>th</sup> House District**

**House Bill 179—Sponsor Testimony**  
**House Health Committee**  
**Tuesday, April 30, 2019**

Chairman Merrin, Vice Chair Manning, Ranking Member Boyd, and members of the House Health Committee, thank you for the opportunity to present sponsor testimony on House Bill 179.

House Bill 179 addresses an important issue that is affecting small businesses, like the Fairfield County owner of a small winery, who actually brought this issue to my attention.

This bill will simply allow small wineries that are not preparing and serving significant amounts of food to be exempted from retail food establishment licensure requirements. This exemption can only apply when the following things occur:

- The establishment serves commercially prepackaged food in a form that prevents direct human contact prior to and during service.
- Sales of the prepackaged food do not exceed more than five per cent of the total gross receipts of the establishment.
- The establishment has been issued an A-2 permit or an A-2f permit and annually produces ten thousand gallons or less of wine.

And additionally, the owner of the establishment must disclose to the customers that the establishment is exempt from the retail food establishment license.

Small businesses around the state of Ohio are being burdened with the extra requirements necessary for this license and it is negatively impacting their businesses. This is precisely the situation my constituent finds himself in. As the owner of a small winery, this person is being burdened with this clear example of over licensure. He is unable to provide prepackaged crackers and cheese for his customers during wine tastings due to not having this specific license. This over licensure is pushing this small business out of operation.

This legislation will help promote the success of small businesses around the state of Ohio and it will provide relief to small business owners who are just trying to make a living.

Thank you once again, Chairman Merrin and the members of the committee, for the opportunity to present this issue to you today. I will be glad to answer any questions at this time.