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OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research
and Drafting

Legislative Budget
Office

S.B. 369
136th General Assembly

Fiscal Note & Local Impact Statement

[Click here for S.B. 369's Bill Analysis](#)

Version: As Introduced

Primary Sponsor: Sen. Blessing

Local Impact Statement Procedure Required: No

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Highlights

- The bill would create minimal additional administrative costs for the Ohio Department of Agriculture (ODA) to enforce prohibitions against force-feeding domestic poultry and the sale or distribution of products derived from force-fed birds.
- Any new enforcement activity, including responding to complaints and issuing warnings or civil penalties, would likely be absorbed within existing appropriations.
- Although force-feeding practices are believed to be very uncommon in Ohio, force-fed products such as foie gras may be available in specialty retail outlets or restaurants. As a result, violations related to sale or distribution could be more likely than violations related to production. Civil penalty revenue from such violations is possible but likely to be minimal.

Detailed Analysis

The bill prohibits the force-feeding of domestic poultry and the distribution or sale of products derived from force-fed birds and would result in minimal new administrative costs for the Ohio Department of Agriculture (ODA). The bill requires ODA to issue a written warning for a first violation and assess civil penalties of up to \$100 per offense for subsequent violations. These duties will require staff to review complaints, confirm violations, issue warnings, assess penalties, and maintain supporting records. The overall enforcement workload is likely to be limited and manageable with existing staff resources.

While force-feeding practices themselves appear to be very uncommon in Ohio, force-fed products may be available for purchase in specialty food markets, through certain distributors, or at select restaurants. As a result, enforcement activity is more likely to arise from complaints regarding the distribution or sale of these products rather than from production-related

violations. The bill does not provide a sell-down period or otherwise address existing retail inventory, meaning that retailers offering such products for sale after the bill's effective date could be subject to enforcement actions. Any resulting civil penalty revenue is expected to be minimal given the narrow scope of the prohibition and the modest penalty amount.

The bill allows individuals assessed a civil penalty to appeal under the Administrative Procedure Act, which could require occasional additional administrative work. However, due to the anticipated low number of violations, the frequency of appeals is also likely to be low.