

Department of Consumer Protection



At a Glance

JERRY FARRELL, JR., *Commissioner*

Jackie Gorsky Mandyck, *Deputy Commissioner*

Established – 1959

Statutory authority - CGS Chap. 416, Section 21a-1

***Central office - 165 Capitol Avenue,
Hartford, CT 06106***

Number of employees - 169 (All Funds)

Recurring operating expenses - \$15,048,148

General Fund Revenue in 2008 \$30,015,185

Transportation Fund Revenue: \$1,026,658

Organizational structure –

Office of the Commissioner; Regulation of Food & Standards; Regulation of Drugs, Cosmetics & Medical Devices; Regulation of Alcoholic Liquor; Regulation of Occupational & Professional Licensing; Regulation of Trade Practices; Regulation of Public Charities; License Services Division; Legal Services Office; Communications & Consumer Education Office; Administrative & Accounting Services Office; Technical Systems Unit

Mission

The mission of the Department of Consumer Protection is to ensure a fair and equitable marketplace as well as safe products and services for consumers in the industries that it regulates

Statutory Responsibility

The Department of Consumer Protection is a regulatory agency responsible for protecting citizens from physical injury and financial loss that may occur as the result of unsafe or fraudulent products and services marketed in the State of Connecticut. The extent of the department's regulatory oversight is unique among state agencies since its jurisdiction frequently overlaps with other Connecticut state agencies. The Department is responsible for enforcing numerous significant consumer protection laws including the Connecticut Unfair Trade Practices Act, the Connecticut Pure Food, Drug & Cosmetic Act, the

Connecticut State Child Protection Act and the Connecticut Weights & Measures Act. The agency remains vigilant against unexpected, as well as ongoing, health, safety and product-related problems. The Department of Consumer Protection must be able to mobilize staff at any time in order to respond quickly and effectively to a food, drug, product safety or economic crisis affecting Connecticut's marketplace or citizens.

Public Service

During Fiscal Year 2007 – 2008, the Department of Consumer Protection

- Responded to 33 traffic and highway accidents involving food and beverage products in order to ensure that contaminated/adulterated foods were not distributed to the public.
- Provided training to more than 2,900 law enforcement officers, pharmacists and health care providers to assist them in the identification of narcotic drugs and the signs of drug abuse as well as in the prevention of prescription errors. These sessions included updates on new drug laws and regulations.
- Conducted 553 compliance checks throughout the State in partnership with local and state law enforcement officers and youths provided by the Connecticut Coalition to Stop Underage Drinking in order to enhance enforcement of underage drinking laws. 170 of the stores checked for compliance failed by selling alcoholic liquor to a minor and, as a result, violators face fines and possible suspensions of their licenses.
- Operated a 12-week undercover “Sting House” that caught 134 home improvement contractors who had either failed to register with the Department as legally required or for violating other requirements of the Home Improvement Act. This and other enforcement actions conducted by the Department have increased the number of individuals/businesses registered as home improvement contractors to more than 28,000.
- Conducted compliance checks in partnership with local police departments to identify stores and businesses that would sell fireworks to persons under the legal age of 16. 2 of the 11 stores checked for compliance failed by selling fireworks to a minor and, as a result, the violators were issued summons.
- Held free “Identity Theft” workshops for the public in 6 locations across Connecticut in order to educate citizens as to how they should protect themselves from this crime.
- Held free “Shredding Events” for the public in May 2007 to promote citizen awareness of the need to destroy unneeded personal and financial documents in order to prevent identity theft.

- Enhanced enforcement of consumer protection laws by promoting effective resolutions with persons and establishments regulated by the Department. These initiatives included the issuance of 523 compliance meeting notices for licensees, 250 guaranty fund orders for payment and 8 civil investigative demands and investigatory subpoenas. The Department also negotiated 1,925 settlement agreements that included stipulations, offers in compromise and assurances of voluntary compliance. 956 formal hearings were scheduled as a result of administrative complaints or notices and 450 formal decisions were prepared.
- Provided staff and speakers for 93 professional and community programs, conferences and seminars. Audiences reached by Department speakers included food sanitarians, home builders, home improvement professionals, homeowners, professional trades groups, business leaders, local community groups, senior citizens and students.
- Issued 166 press releases on a broad spectrum of issues including numerous toy and children's products recalls, unregistered home improvement contractors, lawsuits and settlements with individuals, small companies and major corporations, unlawful sales of alcohol to minors, the launch of the agency's online renewal system for license and announcements of several public service events. The Department participated in the Eastern States Exposition in West Springfield, Massachusetts for three days in September 2007 where it provided both literature and person-to person information for approximately 9,700 Connecticut residents who visited the DCP booth.
- Provided monetary restitution to consumers who were financially damaged as a result of unfair business practices in the areas of new home construction, home improvement, health club membership, real estate and purchases from itinerant vendors. Payouts to consumers included: \$2.5 million from the Home Improvement Guaranty Fund; \$621,201 from the New Home Construction Guaranty Fund; \$46,642 from the Real Estate Guaranty Fund; and, \$15,371 from the Health Club Guaranty Fund. The Department also participated in the recovery and return of penalty payments and restitution to consumers through orders or litigation brought under the Connecticut Unfair Trade Practices Act.
- Returned nearly \$2 million to consumers in vehicle replacement value or in refunds of money spent on new cars through manufacturers' compliance with arbitration awards.
- Responded to more than 37,000 consumer calls and 9,000 written consumer complaints.

Improvements/Achievements 2007 – 2008

During Fiscal 2007 – 2008, the Department of Consumer Protection

- Confiscated hundreds of toys containing lead from retailers throughout the State in order to protect public health and safety. As the result of the Department's immediate response to a national recall effectiveness order from the U. S. Consumer Product Safety Commission, hazardous products were removed from the stream of commerce in Connecticut.
- Conducted sixteen statewide recall effectiveness checks for the U. S. Department of Agriculture's Food Safety Inspection Service as a result of national food recalls. The Department also assisted the FDA during a nationwide tomato outbreak investigation by testing tomato, pepper and cilantro samples for bacterial contamination.
- Implemented a new statewide "Prescription Drug Monitoring" Program that will be used to monitor the distribution of prescription drugs and identify patterns of abuse in order to initiate enforcement action where necessary. Implementation of this important public health and safety program includes educating/training hundreds of prescribing practitioners, pharmacists and law enforcement personnel throughout Connecticut on the use of this software system.
- Provided free public "Recall Roundup" sessions to assist Connecticut residents in removing unsafe and/or recalled toys, furniture, glassware and other household items that could prove to be hazardous. This activity was an important component of the Commissioner's "Keep Kids Safe" initiative.
- Significantly expanded enforcement activities in the area of home heating oil dealers as a result of public demand for assistance from the Department about such businesses. The failure of an oil company in Connecticut during the spring of 2008 affected more than 10,000 customers and generated 1,800 written complaints to the Department from people who were out of oil or left without service agreements. In response to this failure, the Department established an internal task force to handle phone complaints and inquiries from consumers seeking assistance. The Department continues to work aggressively on new and existing legislative initiatives in order to increase its protection of the public in this area.
- Held a "Drug Collection" day in April 2008 to collect, and dispose of, outdated and unwanted medications. The event was designed to promote drug safety in the home and educate Connecticut residents as to the environmental impact of improper drug disposal since discarding in drains or other sites could contaminate the water supply or soil.

- Held a press conference to call attention to a new federal law designed to reduce the threat of drowning and entrapment injuries or deaths in all public pools and spas. The requirements of the Virginia Graeme Baker Pool and Spa Safety Act mandate that all public pools and spas have safety drain covers and, in some cases, an anti-entrapment system. Pursuant to this new child protection legislation, the Department alerted Connecticut citizens to its passage and also provided preventative measures and information regarding its provisions.
- Significantly expanded online services for the Department's customers through numerous improvements to the agency's website. Businesses and individuals may now renew their licenses and change their addresses and phone numbers online. More than 32,000 licensees have taken advantage of this enhanced online renewal service generating \$4.7 million in revenue to the State of Connecticut. Citizens can now verify license information, download rosters of all Department license types and access board & commission minutes, hearing decisions and agency regulations through the website. Future enhancements include the option of completing new license applications online.

Information Reported as Required by State Statute

The Department of Consumer Protection is firmly committed to the principles and objectives of equal employment opportunity for all individuals. The Department's full-time Affirmative Action Officer Alicia Nunez coordinates and monitors the agency's programs and ensures compliance with the Americans with Disabilities Act, the Fair Employment Practices Act, state Affirmative Action regulations and Contract Compliance laws.

In Fiscal Year 2007, 51 percent of the Department's employees were female and 49 percent were male, with the following composition: 74 percent white, 15 percent black, 7 percent Hispanic, 2 percent Asian and 2 percent Indian. The Department's Affirmative Action plan has been approved by the Connecticut Commission on Human Rights and Opportunities.