SMALL BUSINESS IMPACT STATEMENT

Prior to adopting a new section or amendment, Section 4-168a of the Connecticut General Statutes (C.G.S.) requires that each state agency consider the affect of such action on small businesses as defined in C.G.S. Section 4-168a. When such a regulatory action may have an adverse affect on small businesses, C.G.S. Section 4-168a directs the agency to consider regulatory requirements that will minimize the adverse impacts on small businesses if the addition of such requirements (1) will not interfere with the intended objectives of the regulatory action and (2) will allow the new section or amendment to remain consistent with public health, safety and welfare.

State Agency submitting proposed regulations: **Department of Consumer Protection**

Subject matter of Regulation: **Standards for Foods**

In accordance with C.G.S. Section 4-168a, agency staff analyzed the affect on small businesses of the proposed regulations on **02-06-2012** and determined the following:

Check the appropriate box:

☐ The regulatory action will not have an affect on small businesses.

☑ The regulatory action will have an affect on small businesses, but will not have an adverse affect on such small businesses.

☐ The regulatory action may have an adverse affect on small businesses, and no alternative considered would be both as effective in achieving the purpose of the action and less burdensome to potentially affected small business. Alternatives considered include the following:

(1) The establishment of less stringent compliance or reporting requirements for small businesses;
(2) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
(3) The consolidation or simplification of compliance or reporting requirements for small businesses;
(4) The establishment of performance standards for small businesses to replace design or operational standards required in the new section or amendment; and
(5) The exemption of small businesses from all or any part of the requirements contained in the new section or amendment.

☐ The regulatory action will have an adverse affect on small businesses that cannot be minimized in a manner that is consistent with public health, safety and welfare.

The Department of Consumer Protection **notified** / (did not notify) the Department of Economic and Community Development of its intent to take the proposed action, and **completed** / (did not complete) the Agency Fiscal Estimate of Proposed Regulations.

This proposed regulation adopts several definitions and standards set forth in the Code of Federal Regulations. This proposed change is a modernization of the current definitions and standards that will allow Connecticut food manufacturers to produce products that conform to one set of standards, instead of to multiple local standards.

AGENCY FISCAL ESTIMATE OF PROPOSED REGULATION

Agency Submitting Regulation: Department of Consumer Protection **Date:** 02-06-2012

Subject Matter of Regulation: Standards for Foods

Regulation Section No.: 21a-115-28 through 21a-115-65 **Statutory Authority:** 4-168 and 21a-115

Other Agencies Affected: n/a

Effective Date Used In Cost Estimate: Upon Passage (Filing with the Secretary of the State).

Estimate Prepared By: Jerry P. Padula, Esq. - DCP Legal **Telephone No.:** 860-713-6087

SUMMARY OF COST AND REVENUE IMPACT OF PROPOSED REGULATION

Agency: Department of Consumer Protection **Fund Affected:** n/a

	First Year	Second Year	Full Operation
Number of Positions	n/a	n/a	n/a
Personal Services	$0	$0	$0
Other Expenses	$0	$0	$0
Equipment	$0	$0	$0
Grants	$0	$0	$0
Total State Cost or (Savings)	$0	$0	$0
Estimated Revenue Gain or (Loss)	$0	$0	$0
Total Net State Cost or (Savings)	$0	$0	$0

Explanation of State Impact of Regulation:

No fiscal impact is anticipated. The Department of Consumer Protection currently implements the existing regulations concerning food manufacturing, packaging, and labeling. No additional costs for enforcement or compliance are anticipated.

Explanation of Municipal Impact of Regulation:

No impact on municipalities is anticipated. The Department has jurisdiction over these regulations.

Explanation of Small Business Impact of Regulation:

This proposed regulation will assist businesses by allowing the use of one set of definitions and standards in the manufacturing, labeling, and packaging of food products. The new definitions and standards are those set forth in the Code of Federal Regulations. By advancing the goal of uniformity, Connecticut businesses will less likely have to strive to meet multiple local standards, thereby reducing costs. Please see the attached Small Business Impact Statement for more details.

Is a regulatory flexibility analysis required pursuant to C.G.S. 4-168a? No.