

One Hundred Ninth Legislature - First Session - 2025

Introducer's Statement of Intent

LB245

Chairperson: Senator Barry DeKay

Committee: Agriculture

Date of Hearing: February 04, 2025

The following constitutes the reasons for this bill and the purposes which are sought to be accomplished thereby:

LB 245 is brought at the request of the Department of Agriculture to update provisions of the Nebraska Pure Food Act.

The bill would incorporate the 2022 Food Code (Nebraska currently incorporates the 2017 Food Code), a publication of the Food and Drug Administration, which sets forth science based and uniform standards for the safe sourcing, storage, handling, preparation, labeling, presentation and service of food by commercial food establishments. The bill further revises variances from Food Code recommendations which are set out in the Nebraska Pure Food Act. Additionally, LB 245 clarifies and updates reference to the Code of Federal Regulations provisions pertaining to Good Manufacturing Practices.

LB 245 also contains a series of revisions to the Pure Food Act to incorporate the Department's recommendations to resolve ambiguities, outdated provisions, and inefficiencies in the administration of the Act.

Finally, the bill would reclassify and revise the schedule of permit and annual fees assessed to food establishments supporting the inspection and enforcement activities of the Department. LB 245 renames what is currently identified as an annual inspection fee as simply an annual fee. Additionally, the bill establishes a new schedule of statutory maximums for the initial permit fee and the annual fee per food establishment unit within the various food establishment license categories. The increased fee authority would facilitate transitioning the Department's Pure Food Act responsibilities to be fully cash funded.

Principal Introducer: _____

Senator Barry DeKay