

COMPLIANCE SECTION

CONSUMER SAFETY BRANCH



TEXAS
Health and Human
Services

Texas Department of State
Health Services

DSHS RETAIL FOODS



FY26 ANNUAL ANALYSIS FINAL ENFORCEMENT ACTIONS

Pursuant to 25 Texas Administrative Code 1.553(a)(1)(2)

PURPOSE, MISSION AND VISION

DSHS Retail Foods Group strive to prevent foodborne illness in the Lone Star State through personal and professional excellence. This endeavor involves the help of all public health regions, state and federal agencies, local and city health departments, private industry, and the public.

Through teamwork and diligent effort, the group accomplish its mission to protect public health through the efficient operation of a comprehensive retail food protection program focusing on education, training, and enforcement oversight, which will ultimately reduce the potential for foodborne illness in Texas.



RETAIL FOODS OPERATORS LICENSE TYPES

Retail Food Establishments -2301

Food Stores-2301

Mobile Food Units-2302

Roadside Food Vendors-2302

School Food Establishments- 2350

Temporary Retail Food Establishments-2302

Retail Inspector for Truck Wreck/Emergency-2380

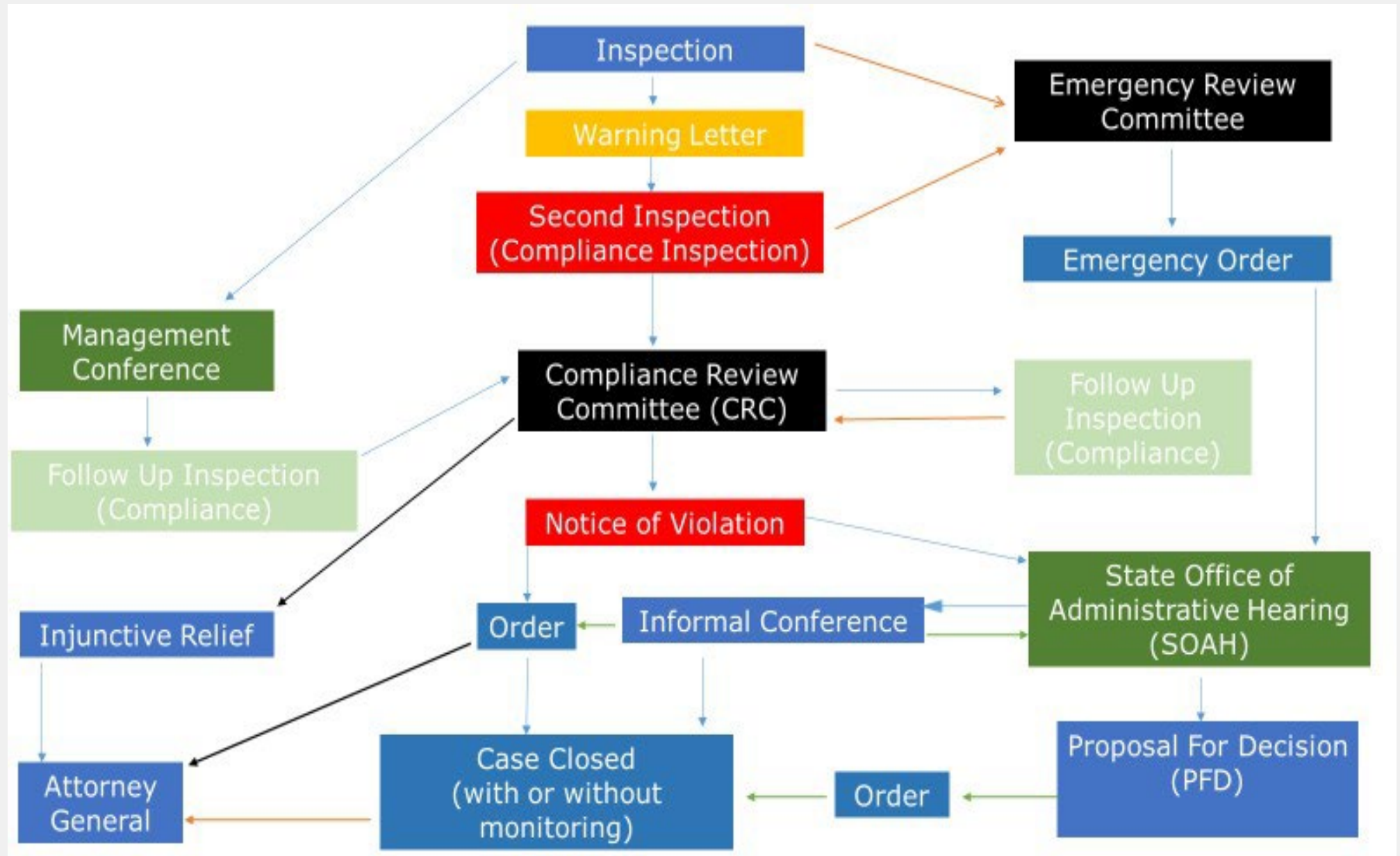
Non Profit Inspection Program-2351

Retail Standardization Program-2360



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Retail Foods Compliance Flowchart



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Cases referred to Compliance

- One hundred thirty-six (136) cases were referred in total:
- All one hundred thirty-six (136) cases were triaged through Compliance Review Committee (CRC)

CRC	136
Total	136



Outcomes

After triage at CRC:

- Ninety-six (96) Notice of Violation (NOV) letters were cleared to be issued
- Thirty-four (34) cases were cleared to be referred to the Attorney General for Injunctive Relief
- Six (6) cases were returned to program



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Informal Conference (IC)

Zero (0) cases were held at an IC



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State Office of Administrative Hearings (SOAH)

Compliance referred twenty-seven (27) cases to SOAH, at the request of the Respondent pursuant to HSC Sec. 437.0186 and Chapter 2001, Government Code.

SOAH REFERRAL	27
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- ❖ All Respondents were offered the opportunity to have their case(s) presented before an Administrative Law Judge.

Case Orders & Agreements Processed

- **Collectively seventy-two (72) Settlement Agreements/ Acceptance Orders/ Rescission Orders/ Default Orders were issued**

- A Settlement Agreement is issued after an informal meeting with the Department, prior to a hearing, to document and memorialize the settlement reached between a Respondent and the Department.
- An Acceptance Order is issued when a Respondent accepts the proposed disciplinary action in the Department's Notice.
- A Default Order is issued when the Department receives a default judgement at SOAH
- A Rescission Order is issued when the Department wishes to rescind the Notice of Violation
- **Twenty-four (24) Attorney General (AG) Referrals**
 - Twenty-four cases were referred to the AG for further administrative and/or judicial remedies on Respondents who failed to and/or refuse to comply with a final order.



Cases Closed With or Without Monitoring

Cases that have a finalized Order or an Agreement are either:

- Closed with monitoring
 - Terms and conditions to be met are still pending
- Closed without monitoring
 - All terms and conditions are met

Cases closed with or without monitoring cont.

Cases closed with monitoring : 35

Cases closed without monitoring: 67

Cases withdrawn: 3

Penalty Amount Proposed/ Assessed

\$167,307.00



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Penalty Amount Remitted/ Collected

\$134,264.80



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Thank You



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