

COMPLIANCE SECTION

CONSUMER SAFETY BRANCH



TEXAS
Health and Human
Services

Texas Department of State
Health Services

DSHS FOODS GROUP



FY25 ANNUAL ANALYSIS FINAL ENFORCEMENT ACTIONS

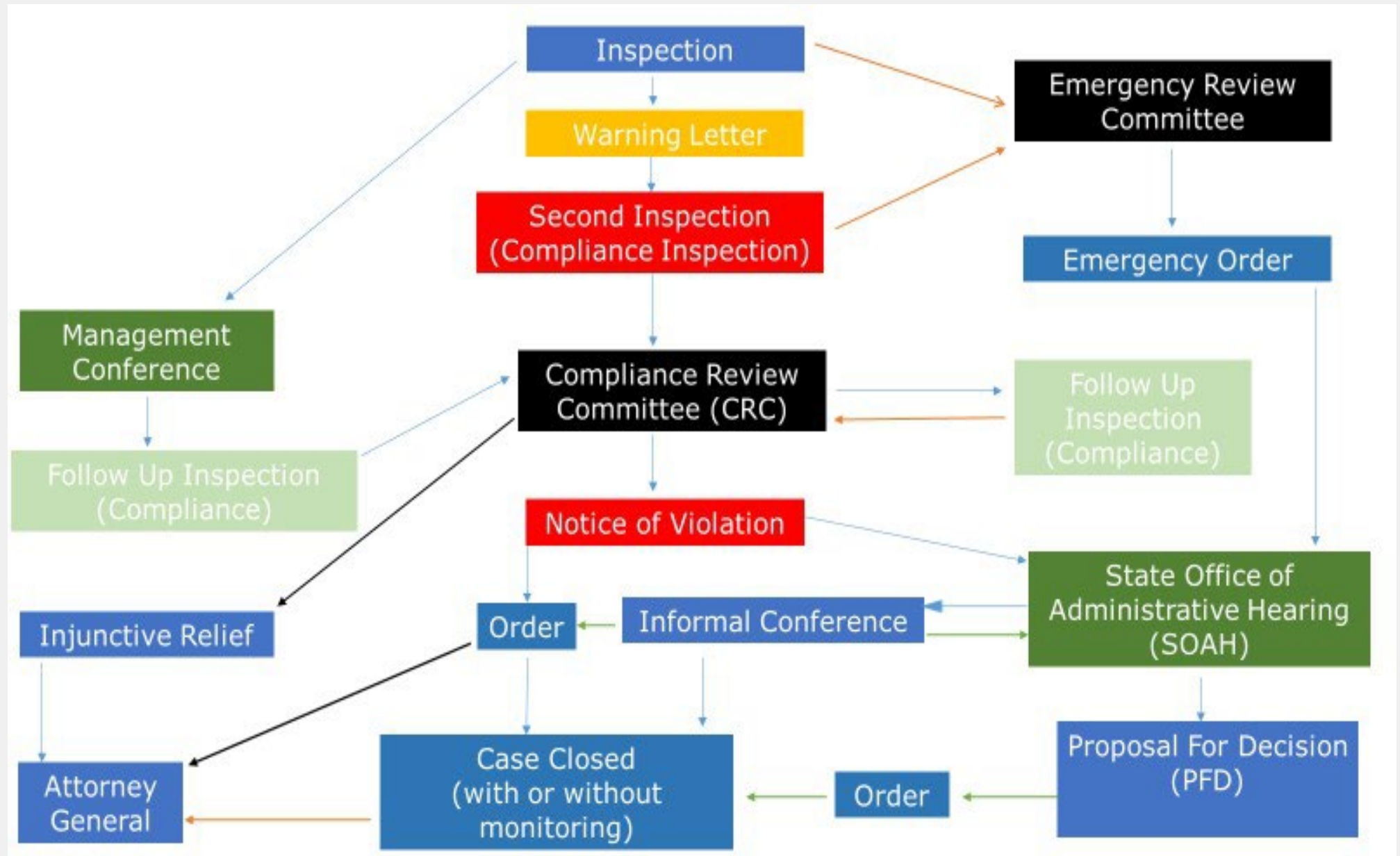
Pursuant to 25 Texas Administrative Code 1.553(a)(1)(2)

Examples of Food Operators

Examples include but are not limited to the following food operations

- Bakeries
- Bottling/Canning plants producing sauces, salsa, condiments, jams, jellies, canned vegetables and fruit
- Bottling/Canning plants producing water, soft drinks, fruit juice, vegetable juice
- Dietary supplement manufacturing and distributing
- Grocery stores with meat markets, delicatessens, or bakeries that package and display food for retail customer self-service
- Ice bagging or wholesaling
- Ice plants
- Juice packaging
- Packaging cut produce/vegetables, shelling and packaging nuts, and firms washing/packaging produce in a separate location from the farm where it was grown
- Restaurants and other food service operations providing food packaged on-site via a retail customer self-service display
- Seafood processors
- Water vending/bottling
- Wineries
- Breweries

Foods Group Compliance Flowchart



TEXAS
Health and Human
Services

Texas Department of State Health Services

Cases referred to Compliance

- Sixty-five (65) cases were referred in total:
 - Thirty-eight (38) cases were triaged through Compliance Review Committee (CRC)
 - Twenty-seven (27) cases were license only cases that required no Compliance Review Committee (CRC)

CRC	38
License Only	27
Total	65



Texas Department of State
Health Services

Outcomes

After triage at CRC:

- Sixty-one (61) Notice of Violation (NOV) letters were cleared to be issued
- Three (3) cases were referred to the Attorney General
- One (1) case was returned to program



Texas Department of State
Health Services

Informal Conference (IC)

Two (2) cases were held at an IC:

- Two (2) cases were settled after the IC



Texas Department of State
Health Services

State Office of Administrative Hearings (SOAH)

Compliance referred eleven (11) cases to SOAH, at the request of the Respondent pursuant to HSC Sec. 431.055(a) and Chapter 2001, Government Code.

SOAH REFERRAL	11
---------------	----

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

Orders & Agreements Processed

- 35 Agreed Orders/ Acceptance Orders (AO)
 - An Agreed Order is issued after an informal conference, to document and memorialize the settlement agreement 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.
- 9 Attorney General (AG) Referrals
 - Nine (9) 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.



Texas Department of State
Health Services

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 : 9

Cases closed without monitoring: 57

Cases withdrawn: 0

Penalty Amount Proposed/ Assessed

\$95,455.00



Texas Department of State
Health Services

Penalty Amount Remitted/ Collected

\$56,680.83



Texas Department of State
Health Services

Thank You



TEXAS
Health and Human
Services

Texas Department of State
Health Services