

# COMPLIANCE SECTION

# CONSUMER SAFETY BRANCH



**TEXAS**  
Health and Human  
Services

Texas Department of State  
Health Services

# DSHS RETAIL FOODS



## FISCAL YEAR 2024 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

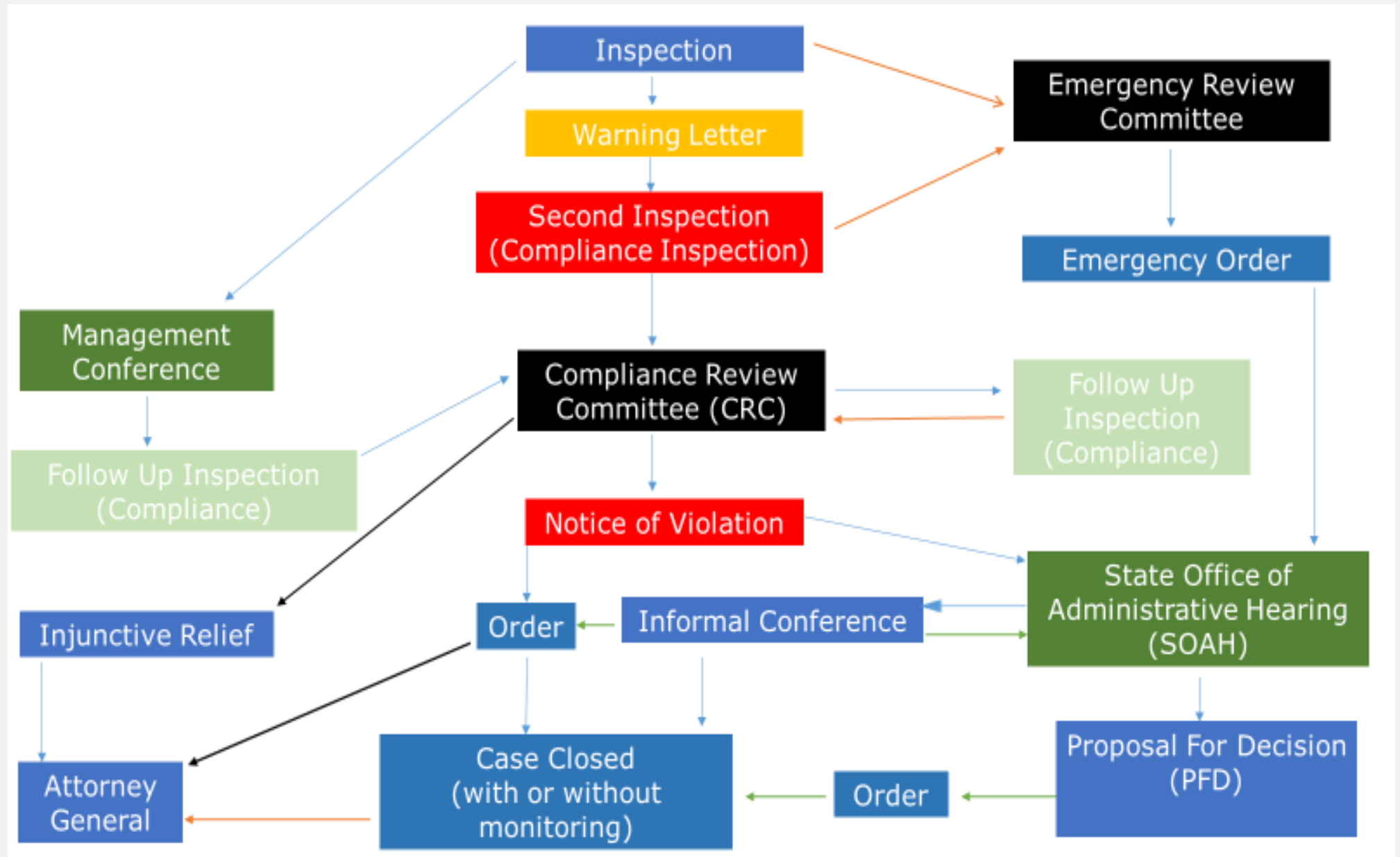
Retail Inspector for Truck Wreck/Emergency-2380

Non Profit Inspection Program-2351

Retail Standardization Program-2360



# Retail Foods Compliance Flowchart



# Cases referred to Compliance

- Ninety-nine (99) cases were referred in total:
  - Ninety-two (92) cases were triaged through Compliance Review Committee (CRC)
  - Seven (7) cases were license only cases that required no Compliance Review Committee (CRC)

<b>CRC</b>	<b>92</b>
<b>License Only</b>	<b>7</b>
<b>Total</b>	<b>99</b>



# Outcomes

## After triage at CRC:

- Ninety-seven (97) Notice of Violation (NOV) letters were cleared to be issued
- Two (2) cases were returned to program



# Informal Conference (IC)

Three (3) cases were held at an IC:

- Three (3) cases were settled after the IC





# State Office of Administrative Hearings (SOAH)



- ❖ Twenty-three (23) cases was referred to SOAH.
- ❖ All Respondents were offered the opportunity to have their case(s) presented before an Administrative Law Judge.

SOAH REFERRAL	23
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# Orders

## Seventy-five (75) Orders Processed

**Acceptance - 51**

**Default - 4**

**Agreed - 20**



# Attorney General (AG) Referrals

- Twenty-four (24) cases were referred to the AG in total.
- Six (6) referrals were for further administrative and/or judicial remedies on Respondents who failed to and/or refuse to comply with a final order.
- Eighteen (18) referrals were for injunctive relief of respondents who were operating without a license issued by the Department.

# FY24 Cases Closed With or Without Monitoring

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

- Thirty-five (35) cases were closed with monitoring
  - Terms and conditions to be met are still pending
- Thirty-five (40) cases were closed without monitoring
  - All terms and conditions are met

# Grand Total Penalty Amount Assessed

**\$208,447.37**



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Health Services

For more information regarding Compliance Consumer Safety policies and protocols, please click on the link below:

[Compliance Section - Consumer Safety Branch Procedure Manual.pdf - All Documents \(sharepoint.com\)](#)



# Thank You



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