

STATE OF COLORADO

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John W. Hickenlooper
Governor

June 9, 2016

The Honorable Colorado House of Representatives
State Capitol
200 E. Colfax Ave.
Denver, CO 80203

Dear Members of the Colorado House of Representatives:

Today, we are filing with the Secretary of State House Bill 16-1401, "Concerning the Regulation of Retail Food Establishments."

As I am neither signing nor vetoing HB 16-1401, therefore, the bill will become law on 12:01 a.m. on June 11, 2016, and take effect on August 10, 2016. This letter sets forth my reasons for allowing HB 16-1401 to become law absent my signature.

In order to improve public health and reduce illness, restaurant inspection programs should be properly funded, have appropriately trained inspectors, and focus on educating food establishments. Over the next three years, HB 16-1401 will increase funding for retail food establishment inspections like restaurants and grocery stores with delis. The bill also ensures that retail food inspectors meet national standards for education and training, while focusing on the highest risk establishments and working to prevent and correct food safety hazards.

Many Coloradans cross county lines daily to live, work, and eat. Ensuring that they have access to the same information about the food safety is important to promoting public health statewide. The bill requires the Department of Public Health and Environment to work with the retail food industry, local public health agencies, and others to establish a uniform system to communicate inspection results with consumers. The bill also simplifies licensing categories, easing the regulatory burden on the industry and local public health agencies.

House Bill 16-1401 is the result of a lengthy stakeholder process directed by prior legislation. Industry, counties, and other public health officials came together and negotiated in good faith. No one achieved all of their desires, and the overall result was good policy benefiting both Colorado's food industry and public health.

However, several county governments raised concerns that the final version of the bill does not give sufficient control and flexibility in administering inspection programs. Some note that the bill prevents a county from using certain types of inspection and reporting systems, including letter grades, to communicate inspection results to their citizens. They also note the bill requires counties to set licensing fees at a set level and spend increased funds solely on inspections, reducing their authority over their own local budgets and programs in ways most beneficial for their constituents.

Although the restaurant inspection program is a state program to ensure all Coloradans have the same access to safe foods, within federal requirements and standards, counties should have authority to innovate and use systems that work best for their communities. While the bill enacts needed advancements for the food inspection program, we are cautious of limited local flexibility for counties.

For this reason, I am allowing HB 16-1401 to become law without my signature. We encourage the General Assembly to continue this conversation and balance the needs of statewide uniformity with individual counties' ability to create their own programs that best serve their communities and citizens. We stand ready to work with you.

Sincerely,



John W. Hickenlooper
Governor