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April 12, 2017

The Honorable John Frullo
Texas House of Representatives
P.O. Box 2910
Austin, TX 78768

Dear Representative Frullo,

In the last two years, the Department of Agriculture has increased its inspections of businesses that sell items by weight. It now requires those restaurants to have 'certified' scales that are visible to the consumer.

While at first glance, this new regulation is commendable, a more in-depth examination reveals a costly, unnecessary burden to the restaurant industry. We ask that you support HB 2029 to restore the balance for small businesses.

From BBQ joints to yogurt shops, restaurants that sell items by weight often times do not have a scale that is visible to the consumer simply due to space restrictions. Regulations requiring the scale to be visible could force a restaurateur to incur substantial costs to redesign pay stations, countertops, or service areas to accommodate a scale.

Plus, local health inspections are already checking for compliance issues. During local checks, inspectors ensure that the food corresponds to what is advertised on menus. Any deceptive advertising or inaccurate weight measures or descriptions may be subject to health inspection review. So, not only is the TDA regulation unnecessary, as there have been very few documented consumer complaints, it is excessive.

HB 2029 will exempt establishments that serve food for immediate consumption, like BBQ restaurants and yogurt shops. We hope you will consider voting in favor of it next week.

Thank you for your service to the community and to the State of Texas.

Sincerely,

A handwritten signature in black ink that reads 'Diannah Tatum'.

Diannah Tatum
Chairwoman

