

**HB 2256 A STAFF MEASURE SUMMARY**

**House Committee On Agriculture and Natural Resources**

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**Action Date:** 02/28/17

**Action:** Do pass with amendments and be placed on the Consent Calendar. (Printed A-Eng.)

**Vote:** 8-0-1-0

**Yeas:** 8 - Barreto, Clem, Esquivel, McKeown, Power, Smith DB, Sprenger, Witt

**Exc:** 1 - McLain

**Fiscal:** Has minimal fiscal impact

**Revenue:** No revenue impact

**Prepared By:** Misty Freeman, LPRO Analyst

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**WHAT THE MEASURE DOES:**

Defines dietary supplements as food for purposes of regulation by Oregon Department of Agriculture (ODA) in ORS Chapter 616. Defines "dietary ingredient" and "dietary supplement" in alignment with federal statute. Clarifies production, processing, and distribution of dietary supplements subject to ODA rules.

**ISSUES DISCUSSED:**

- Dietary ingredients and dietary supplements regulated as food
- Oregon Department of Agriculture authorization for enforcement actions

**EFFECT OF AMENDMENT:**

Clarifies definition of dietary supplement to align with language in federal statute.

**BACKGROUND:**

The Oregon Department of Agriculture (ODA) currently licenses and inspects dietary supplement manufacturers. However, a recent analysis by the Department of Justice determined that ODA does not have clear authority to regulate dietary supplements.

To clarify ODA's regulatory authority, House Bill 2256A would add dietary supplements to the definition of "food" in the statute pertaining to the administration and enforcement of food, drink and sanitation laws. The measure would also align the definition of dietary supplements with federal statute.