



The Florida Legislature

OFFICE OF PROGRAM POLICY ANALYSIS AND
GOVERNMENT ACCOUNTABILITY



SUNSET MEMORANDUM

Report No. 07-S24

Department of Agriculture and Consumer Services, Consumer Protection Program Options for Legislative Consideration

January 8, 2008

Summary

To support the Sunset Review process, the Legislature directed OPPAGA to examine the Department of Agriculture and Consumer Services.¹ This memo focuses on the Consumer Protection Program and its purpose, organization, responsibilities, resources, and performance. The memo also offers options for legislative consideration.

OPPAGA developed three options for the Legislature to consider for reducing the Consumer Protection Program's reliance on general revenue funds and making its activities financially self-sufficient. These options include (1) raising or creating fees for regulatory and inspection activities, (2) reducing activities to the level supported by current fees, or (3) reducing the department's role in conducting some inspections. For each option, we describe advantages and disadvantages.

¹ Sections [11.901](#)-11.920, *F.S.*

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Purpose, Organization, and Responsibilities

The Consumer Protection Program is responsible for protecting consumers and their property from unlawful, unethical, and unsafe business practices. The program comprises the Division of Consumer Services, the Division of Standards, and the Division of Agricultural Environmental Services.

The Division of Consumer Services performs several functions to assist consumers in resolving problems. These functions include

- regulating 11 types of businesses, including pawnbrokers, telemarketers, health studios, intrastate movers, and motor vehicle repair shops;
- implementing, along with the Department of Legal Affairs the Florida New Vehicle Warranty Enforcement Act (commonly known as the Lemon Law);
- serving as the U.S. Consumer Product Safety Commission's agent in Florida for product recalls, inspections, and investigations;
- operating a toll-free consumer assistance call center;
- maintaining "do not call" lists;
- mediating complaints filed by consumers regarding goods and services provided by businesses; and
- processing administrative enforcement actions and investigations for violations by an entity regulated by the division.

The Division of Standards regulates several businesses and business activities through its four bureaus.

- The Bureau of Fair Rides Inspection inspects amusement devices at most theme and water parks, as well as at temporary events such as fairs, carnivals and festivals.
- The Bureau of Liquefied Petroleum (LP) Gas Inspection licenses, inspects, and conducts accident investigation for liquefied petroleum gas businesses.
- The Bureau of Petroleum Inspection tests the quality of petroleum, brake fluid, and antifreeze products sold in Florida. The bureau also inspects fuel pumps to ensure that consumers receive the amount of fuel for which they pay.
- The Bureau of Weights and Measures inspects commercial weighing and measuring devices and packaged goods produced and sold in Florida. The bureau also enforces compliance with truth-in-labeling laws for dry goods, building and construction materials, gardening products, and other products.

The Division of Agricultural Environmental Services regulates the mosquito and pest control industries and registers, analyzes, and licenses pesticide, feed, seed, and fertilizer products to help ensure the safety of Florida's citizens and ecosystems.

Resources

The Legislature appropriated \$36,573,502 in general revenue and trust funds and 530 positions to the Consumer Protection Program for Fiscal Year 2007-08 (see Exhibit 1). The program received approximately \$6.6 million (18%) of its funding from general revenue and 82% from trust funds.

Exhibit 1

The Legislature Appropriated Approximately \$36.6 Million for the Consumer Protection Program in Fiscal Year 2007-08

Program	General Revenue	Trust Funds	Total Funds	FTEs
Division of Consumer Services	\$ 530,872	\$ 7,010,526	\$ 7,541,398	130
Division of Standards	2,091,449	9,884,209	11,975,658	186
Division of Agricultural Environmental Services	3,957,262	13,099,184	17,056,446	214
Total	\$6,579,583	\$29,993,919	\$36,573,502	530

Source: Chapters 2007-72 and 2007-326, *Laws of Florida*.

Some of the program’s major functions rely substantially on general revenue. For example, inspection of weights and measures devices within the Division of Standards receives 83% of its funding or \$2.4 million in general revenue. In addition, the Division of Agricultural Environmental Services’ pesticide regulation function receives \$1.7 million in general revenue or approximately 28% of its total budget of \$6.2 million.

Performance

As shown in Appendix A, the Consumer Protection Program achieved the established standards for 20 of its 26 performance measures in Fiscal Year 2006-07 (the most recent period for which performance data is available). For example,

- 96 % of regulated weighing and measuring devices, packages, and businesses with scanners complied with accuracy standards during initial inspection/testing which met the standard of 96%;
- 99.4% of tested petroleum products met quality standards which exceeded the standard of 99.2%;
- 31% of LP Gas facilities were found to be in compliance with safety requirements on their first inspection which exceeded the standard of 21%;
- 44% of amusement attractions were found to be in full compliance with safety requirements on first inspections which exceeded the standard of 41%; and
- 91.7% of registered pesticide products evaluated and/or managed were found to be in compliance with regulations which exceeded the standard of 91%.

However, the program did not meet the established standard for six performance measures, including the examples below.

- The program did not meet its standard for the percentage of feed, seed and fertilizer inspected products in compliance with performance and quality standards (83.8% versus a standard of 89%). The department explained that this was due to conditions within the fertilizer industry, such as price competition, mergers within the industry, and the inability to obtain quality raw materials, that made it more difficult for the industry to produce quality products.
- The department reported that the program did not meet its standard for the percent of all regulated entities where an investigation found a violation of consumer protection laws (1.87% versus a standard of 4.36%). The department explained that it did not meet this standard because the number of regulated entities rose 12% from Fiscal Year 2005-06 (57,693) to Fiscal Year 2006-07 (65,268) while the number of its investigative staff remained unchanged.

It should be noted that the program's established measures and their associated standards do not always indicate how well it is performing in protecting the public. For example, as shown in Appendix A, the department reported that 31% of liquefied petroleum gas facilities inspected in Fiscal Year 2006-07 were in compliance with safety requirements on first inspection which exceeded the standard of 21% and that 44% of inspected amusement attractions were in full compliance with safety requirements on first inspections which exceeded the standard of 41%. Having standards that assume 79% of the inspected liquefied petroleum gas facilities and 59% of the inspected fair rides will fail initial inspections could be interpreted to mean that the public is at a substantial risk from liquid petroleum gas facilities and fair rides. However, it should be noted that many cited deficiencies are for minor violations that do not pose substantive safety risks, and liquefied petroleum gas facilities found to be in violation cannot be returned to full operation until they pass another inspection and fair rides cannot be used by the public until a violation is corrected. The division should revise its performance measures to better demonstrate how its efforts protect the public. For example, the department could report on the percentage of rides and liquefied petroleum gas facilities that were found to have serious safety defects.

Program Need

The Consumer Protection Program promotes public health and safety and provides oversight mechanisms to protect consumers. For example, the program's regulation of pesticides helps ensure that these products are used in a manner that protects public health and the environment. The program's regulation of businesses such as pawnbrokers, telemarketers, health studios, intrastate movers, and motor vehicle repair shops enables the department to assist consumers who have disputes with these entities. While eliminating the program would diminish consumer protection, the Legislature could take action to reduce the program's costs and need for general revenue funding as well as to reduce the scope of regulation and place more compliance responsibility on regulated entities, as discussed below.

Options for Consideration

Section 216.0236, *Florida Statutes*, provides that it is the Legislature's intent that all costs of providing a regulatory service or regulating a profession or business should be supported solely by those who receive the service or who are subject to regulation. The Consumer Protection Program receives sufficient revenue from fees and federal grants to be self-sufficient. For example, in Fiscal Year 2006-07, the program collected \$31.7 million in revenue from fees and grants and expended \$31.4 million in general revenue and trust fund dollars.² Although the program generated sufficient revenue to cover its costs, it expended more than \$5.5 million in general revenue funding. Excess revenues from certain programs, such as dance studios, health studios, solicitation of contributions, and petroleum inspection are deposited in the General Inspection Trust Fund and used to support other functions.

The Legislature may wish to consider the following options: (1) raising or creating fees to make programs more self-sufficient, (2) reducing activities to the level supported by current fees, or (3) reducing the department's role in conducting some inspections. Exhibit 5 summarizes these policy options and describes the advantages and disadvantages associated with each option.

² Expenditures do not include federal contracts and grants.

Raise or create fees to make regulatory and inspection functions self-sufficient

As shown in Appendix B, each of the divisions within the Consumer Protection Program currently collect regulatory fees for various inspections and certifications. Examples of these regulatory fees include an amusement ride permit fee of \$430 paid for each ride; a petroleum distribution and sale inspection fee of \$.00125 per gallon of gas and kerosene; and a feed master registration fee that ranges from \$25 to \$2,500 depending on the tons of feed sold.^{3, 4, 5}

However, many of the program’s regulatory functions are not self-supported by current fees and portions of some costs are paid for by general revenue (see Appendix B).⁶ Consequently, if the Legislature chose to make these functions more self-sufficient, it could increase regulatory fees charged by the program’s divisions as described below.

Division of Consumer Services. The department reported that six of the division’s nine regulatory functions generated sufficient revenue in Fiscal Year 2006-07 to be self-sufficient.⁷ However, the Intrastate Moving Company, Pawn Shops, and Sellers of Travel functions did not generate enough fees to be self-sufficient. For example, in Fiscal Year 2006-07 the Intrastate Moving Company Program received \$226,664 in general revenue which comprised 49% of its total budget.⁸ Moreover, all of the division’s nine functions used general revenue funding to pay a portion of their costs (total of \$256,058 in general revenue).

The Intrastate Moving Company, Pawn Shops, and Sellers of Travel regulatory functions could become self-sufficient if their fees were increased by relatively small amounts (See Exhibit 2). For example, for Fiscal Year 2006-07, the fee charged by the Intrastate Moving Company Program would have needed to be raised from \$300 to \$387.60, the annual licensing fee charged by the Pawn Shop Program would have needed to be raised from \$300 to \$306.23, and the fee for Sellers of Travel would have needed to be raised from \$300 to \$300.04. To do so, the Legislature would need to change or remove the current \$300 statutory caps on the amount of fees charged by these programs.⁹ These changes would generate \$111,281 in additional revenue.

**Exhibit 2
 Relatively Small Fee Increases Could Make the Intrastate Movers, Pawn Shops, and Sellers of Travel Regulatory Functions Self-Sufficient**

Division of Consumer Services	Current Statutory Mandated or Capped Fee	Fees Required for Activity to be Self-Sufficient Based on FY 2006-07 Costs
Intrastate Movers	\$300	\$387.60
Pawn Shops	\$300	\$306.23
Sellers of Travel	\$300	\$300.04

Source: OPPAGA analysis.

³ Rule. 5F-8.012 F.A.C.

⁴ Section 525.09 (1), F.S.

⁵ Section 580.041, F.S.

⁶ The department reported that it did not receive general revenue funding for the Fair Rides Inspection, Liquefied Petroleum Inspection, or the Petroleum Inspection functions.

⁷ These regulatory functions include Interstate Moving Companies, Pawn Shops, Dance Studios, Health Studios, Motor Vehicle Repair Shops, Sellers of Business Opportunities, Sellers of Travel, Solicitation of Contributions, and Telemarketing.

⁸ The Intrastate Moving Companies Program’s total expenditures for Fiscal Year 2006-07 was \$460,192; \$226,664 was from general revenue.

⁹ Estimates as based on the program’s expenditures in Fiscal Year 2006-07.

Division of Standards. As shown in Appendix B, only one of the Division of Standards four functions, the Petroleum Inspection, generated sufficient revenue from fees in Fiscal Year 2006-07 to be self-sufficient. The Petroleum Inspection revenues generated a surplus of approximately \$4.6 million, which was deposited in the General Inspection Trust Fund. However, the other three functions (Fair Rides Inspection, Liquefied Petroleum Gas Inspection, and Weights and Measures) either did not generate sufficient revenues to cover their costs or did not charge fees. Consequently, the functions were reliant on general revenue. For example, \$2.4 million or 82% of the Weights and Measures function's funding was from general revenue.

To reduce reliance on general revenue and make the division's programs self-sufficient, the Legislature could increase fees for the Fair Ride Inspection and the Liquefied Petroleum Gas Inspection functions. Specifically, to be fully supported by fees, Fair Ride Inspection function's fees could be increased 6.8% function-wide, which would generate an additional \$100,800 in revenue.¹⁰ This would be consistent with s. 616.242 (8)(a), *Florida Statutes*, which requires the department to develop rules establishing fees to cover the costs and expenditures associated with the Bureau of Fair Rides Inspection, including all direct and indirect costs. Similarly, the Liquefied Petroleum Gas inspection fees could be increased by 3.9% function-wide, which would generate an additional \$65,358.¹¹ See Exhibit 3 for examples of these fee increases. The department has the authority to increase the maximum fees for the Fair Rides Inspection Program as these fees are set by department rule; however, only the Legislature can increase Liquefied Petroleum Gas fees.

The Legislature could also consider requiring the Weights and Measures Program to become self-supporting. The program does not currently charge regulatory fees for many of its activities, including inspecting scales used in commercial transactions.¹² However, some states, such as California, charge annual registration fees to cover the costs of inspecting and testing weighing and measuring devices. For example, California charges a registration fee of \$100 per business location.¹³ Creating such fees would require the Legislature to amend current statute to authorize the department to charge regulatory fees.

Exhibit 3
Examples of Small Fee Increases Required to Make the Amusement Rides and Liquefied Petroleum Gas Regulation Functions Self-Sufficient

Division of Standards	Current Statutory Mandated or Capped Fee	Fees Required for Activity to be Self-Sufficient Based on FY 2006-07 Costs
Kiddie Amusement Ride Device Inspection	\$35	\$37.38
Liquefied Petroleum Gas Site Plan	\$200	\$207.80

Source: OPPAGA analysis.

¹⁰ The Fair Rides Inspection function has 11 fees for permits and ride inspections. Fee increases would range from \$.48 to \$34.00.

¹¹ The Liquefied Petroleum Gas inspection function has more than 30 different fees. Fee increases would range from \$.39 to \$20.47.

¹² In Fiscal Year 2006-07, the Weights and Measures function generated \$63,191 in revenue, which was mostly derived from administrative fines and charges for metrology calibration and testing.

¹³ California also charges an additional fee based on business type and scale device capacity, with a limit of \$20 per device and \$1,000 for a single business location (California Code 12240(b) - (n)).

Exhibit 4

Division of Agricultural Environmental Services' Functions Would Need Significant Fee Increases to Become Self-Sufficient

Division of Agricultural Environmental Services	Current Statutory Mandated or Capped Fee	Fees Required for Activity to be Self-Sufficient Based on FY 2006-07 Costs
Feed Registration 300-600 tons	\$500	\$734.19
Fertilizer Inspection	\$.75 per ton	\$1.05 per ton
Pesticide Dealer	\$250 ¹	\$348.38
Seed Application: Receipts \$20,000-\$40,000	\$500	\$949.11

¹ Current fee is \$160.00

Source: OPPAGA analysis.

Division of Agricultural Environmental Services. As shown in Appendix B, none of this division's five regulatory activities (Feed Regulation, Fertilizer Regulation, Pest Control, Pesticide Regulation, and Seed Regulation) generated sufficient fee revenue in Fiscal Year 2006-07 to be self-sufficient and all received general revenue funding. If the Legislature wished to make the Division of Agricultural Environmental Services' regulatory activities more self-sufficient, it could direct the department to raise regulatory fees (See Exhibit 4). Some of these fees have not been adjusted for many years – for example, fees for seed regulation were last adjusted in 1992. As a result, several of the functions would require substantial fee modifications to become self-sufficient. For example, fertilizer inspection would require a 40% across the board increase to generate approximately \$785,000 in additional revenue to eliminate the need for general revenue funding. Requiring all division functions to become self-supporting would eliminate the need for \$2.8 million in general revenue funding.

Reduce activities to the level supported by current fees

Another alternative would be for the Legislature to remove general revenue funding from the program and require that it reduce its activities to the level supported by current fees. This would reduce the program's costs by approximately \$6.6 million.

This option would have varying effects on the program's regulatory functions. It would have relatively little effect on those functions that are relatively close to being self-supporting from current fees, but would require substantial reductions in other activities. For example, the petroleum inspection function would not be directly affected as it generates a surplus of regulatory fees, while the weights and measures function would be essentially eliminated as it receives only \$63,000 in revenues compared to its costs of \$2.9 million.

Reduce the department's role in some inspection activities

Under this approach, the program would partially privatize its activities and shift its focus in some regulatory functions from directly conducting inspections to overseeing the work of certified private inspectors. The state currently uses this approach for elevator safety inspections. In this approach, rather than conducting inspections with state employees, the department would establish regulatory standards, certify private individuals who possessed required skills and knowledge who would conduct required regulatory field inspections, and it would monitor the work of the certified persons by re-inspecting a sample of regulated entities. The certified private inspectors would charge a fee to the

regulated entity to conduct the inspections. For example, businesses that operate scales or gasoline stations would hire a certified inspector to test these devices for compliance with regulatory standards. This option would reduce the state's direct regulatory role and need for general revenue funding. This option would likely not materially affect consumer protection, as the vast majority of regulated devices are currently found in compliance with state standards (for example, only 0.6% of petroleum products tested were found to have violations in Fiscal Year 2006-07).

The Legislature may also wish to consider the approaches used by states such as Texas to reduce the state's role in performing some regulatory inspections.¹⁴ In Texas, the amusement device industry is responsible for performing ride inspections; the state sets the standards for inspection frequency and liability requirements, ride owners meet the risk requirements specified by their insurers, and private insurers conduct inspections as they deem necessary. This approach could be used in other regulatory areas by requiring regulated businesses to post a surety bond rather than submit to state inspections; the bonding companies would become responsible for policing the industries (such as by refusing to sell a surety bond to an intrastate moving company if customers repeatedly filed claims against the company's bond for poor performance).

¹⁴ California has delegated authority for inspecting weights and measuring devices to its county governments, who are overseen by state's Division of Measurement Standards. Miami-Dade County currently operates a measures inspection program.

Exhibit 5
The Legislature Could Consider Several Options for the Consumer Protection Program

Option	Advantages	Disadvantages
Raise or Create Fees to Make Regulatory and Inspection Functions More Self-Sufficient		
Increase and establish fees to cover all regulatory costs and reduce or eliminate program's current \$6.5 million general revenue subsidy	<ul style="list-style-type: none"> ▪ Maintains current level of regulatory activities ▪ Would bring program into compliance with legislative intent for regulatory programs to be self-supporting from user fees ▪ Costs would be more directly borne by regulated industries rather than taxpayers 	<ul style="list-style-type: none"> ▪ Would require statutory change as many current fees are set by law and the Legislature would need to authorize creating additional fees for functions that do not currently charge fees ▪ May experience opposition from regulated industries who would pay higher fees
Reduce Activities to the Level Supported by Current Fees		
Eliminate general revenue funding and reduce activities to the level supported by current fees	<ul style="list-style-type: none"> ▪ State would retain regulatory authority ▪ Will reduce program costs by \$6.6 million ▪ Would not materially affect some functions that are currently self-supporting or close to self-supporting from current fees 	<ul style="list-style-type: none"> ▪ Would require substantial reductions in activity levels for some regulatory functions that currently receive large general revenue subsidies, including weights and measures inspection and feed, seed, and fertilizer inspection ▪ Reduced regulatory oversight could increase risks to public ▪ May be opposed by private industries that currently benefit from regulation while not paying regulatory costs ▪ Could jeopardize federal funding for some programs, such as pesticide regulation and pipeline inspections that require general revenue match
Reduce the Department's Role in Some Inspection Activities		
Shift regulatory model from state inspection to state-certified private inspection and/or reliance on private bonds	<ul style="list-style-type: none"> ▪ State would retain regulatory authority ▪ Would reduce size of state government and need for general revenue funding by eliminating some inspector positions and associated costs, such as vehicle, equipment and travel. ▪ Would place responsibility for compliance with regulatory standards on private sector ▪ Would recognize industry changes, such as development of digital scales and gas pumps that are more accurate and thus require less regulatory oversight ▪ Could result in lower regulatory costs if private certified inspectors are more efficient than state inspectors 	<ul style="list-style-type: none"> ▪ Could increase risks to public if private certified inspectors did not adequately perform inspections ▪ Would require phased-in approach to training and certifying inspectors ▪ Would increase regulatory costs to private businesses that would pay inspection costs, which are now subsidized by general revenue ▪ Could jeopardize federal funding for some functions

Appendix A

The Consumer Protection Program Met Standards for 20 of 26 Performance Measures in Fiscal Year 2006-07

In the table below, the program's performance measures that met their standards in Fiscal Year 2006-07 are shown in the shaded rows.

Performance Measure	Fiscal Year 2006-07	
	Actual Performance	Standard
Consumer Services		
Percent of all regulated entities where an investigation found a violation of consumer protection laws	1.87%	4.36%
Number of lemon law assists made to consumers	21,612	26,500
Number of complaints investigated/processed by the Division of Consumer Services	32,771	37,500
Number of no sales solicitation calls processed	102,725	66,545
Number of regulated entities licensed by Division of Consumer Services	65,268	42,130
Number of assists provided to consumers by the call center	469,522	318,350
Standards		
Percent of regulated weighing and measuring devices, packages, and businesses with scanners in compliance with accuracy standards during initial inspection/testing	96%	96%
Percent of LP Gas facilities found in compliance with safety requirements on first inspection	31%	21%
Percent of amusement attractions found in full compliance with safety requirements on first inspections	44%	41%
Percent of petroleum products meeting quality standards	99.4%	99.2%
Number of LP Gas facility inspections and re-inspections conducted	9,670	6,500
Number of petroleum field inspections conducted	269,966	255,000
Number of petroleum tests performed	113,220	110,000
Number of amusement ride safety inspections conducted	10,050	10,000
Agricultural Environmental Services		
Percent of feed, seed and fertilizer inspected products in compliance with performance/quality standards	83.8%	89%
Percent of registered pesticide products evaluated and/or managed that are in compliance with regulations	91.7%	91%
Percent of licensed pest control applicators inspected who are in compliance with regulations	97%	92%
Percent of licensed pesticide applicators inspected who are in compliance with regulations	80%	88%
Number of reported human/equine disease cases caused by mosquitoes	0/13	101/173
Number of pest control, feed, seed, fertilizer, and pesticide inspections conducted	26,039	19,431
Number of people served by mosquito control activities	16,800,806	14,979,291
Number of pesticide products registered	18,839	12,479
Number of pesticide sample determinations made in the pesticide laboratory	92,693	53,462
Number of pest control businesses and applicators licensed	54,773	43,032
Number of fertilizer sample determinations	224,372	175,342
Number of official seed sample determinations performed	53,191	65,513

Source: The Florida Department of Agriculture.

Appendix B

The Department's Consumer Services Protection Program Charges a Variety of Regulatory Fees

Each of the divisions within the Consumer Protection Program currently collects regulatory fees for various functions such as inspections and certifications. However, many of these functions are not self-supported by current fees with some costs paid by general revenue. The following table lists the regulatory function areas by division, the sources and amounts of expenditures in Fiscal Year 2006-07, if regulatory fees are at a statutory cap, and the last time these fees were revised.

	General Revenue Expenditures FY 2006-07	General Inspection Trust Fund Expenditures FY 2006-07	Contracts and Grants Trust Fund Expenditures	Total Funding FY 2006-07	Financially Self-Sufficient	Fees at Statutory Cap	Last Revision of Statutory Fees
Consumer Services							
Intrastate Moving Companies	\$226,664	\$233,528	\$0	\$460,172	No	All	2002
Pawn Shops	\$2,738	\$350,082	\$0	\$352,820	No	All	1996
Dance Studios	\$116	\$32,257	\$0	\$32,373	Yes	All	1993
Health Studios	\$1,512	\$226,402	\$0	\$227,914	Yes	All	1993
Motor Vehicle Repair Shops	\$9,712	\$1,241,438	\$0	\$1,251,150	Yes	All	1991
Sellers of Business Opportunities	\$1,565	\$194,108	\$0	\$195,673	Yes	All	1993
Sellers of Travel	\$4,688	\$585,608	\$0	\$590,296	No	All	1991
Solicitation of Contributions	\$7,955	\$1,228,431	\$0	\$1,236,386	Yes	All	1991 1994 ¹
Telemarketing	\$1,128	\$183,118	\$0	\$184,246	No	All	1991
Game Promotions & Sweepstakes	This program was not addressed in the Department's Legislative Budget Request for Fiscal Year 2008-09.						
Lemon Law	This program was not addressed in the Department's Legislative Budget Request for Fiscal Year 2008-09.						
Standards							
Fair Rides Inspection ²	\$0	\$1,584,012	\$0	\$1,584,012	No	N/A ³	1993-2005 ⁴
Liquefied Petroleum Gas Inspection	\$0	\$1,741,192	\$0	\$1,741,192	No	All	1990-2003 ⁵
Petroleum Inspection	\$0	\$7,695,151	\$0	\$7,695,151	Yes	All	1995
Weights & Measures	\$2,403,527	\$492,793	\$0	\$2,896,320	No	No	N/A ⁶
Agricultural Environmental Services							
Feed Regulation	\$37,083	\$464,294	\$273,800	\$775,177	No	All	1994
Fertilizer Regulation	\$694,933	\$2,051,620	\$0	\$2,746,553	No	All	1966-1998 ⁷
Pest Control	\$69,528	\$3,155,154	\$11,274	\$3,235,956	No	24 of 29	1992
Pesticide Regulation	\$1,722,599	\$3,756,532	\$730,955	\$6,210,086	No	3 of 7	1993-2002 ⁸
Seed Regulation	\$336,263	\$628,630	\$0	\$964,893	No	All	1992

¹ Fees for charitable organizations revised in 1991. Fees for professional organizations revised in 1994.

² This program is required by law to be self-sufficient.

³ Fees set by rule, not by statute. Of current fees, 10 of 11 are at the cap set by the department

⁴ Eleven fees: 2 set in 1993; 2 set in 1997; 3 set in 2001; 4 set in 2005.

⁵ Twenty-two fees: 12 revised in 1990; 3 revised in 1992; 1 revised in 1993; 5 revised in 2000; 1 revised in 2003.

⁶ The Bureau of Weights and Measures does not charge regulatory fees.

⁷ Five fee categories with variable charges.

⁸ Six fees: 1 revised in 1993; 5 revised in 2002.