

Department of Consumer Protection



At a Glance

JERRY FARRELL, JR., Commissioner
Jackie Gorsky Mandyck, Deputy Commissioner
Established – 1959

Statutory authority - CGS Chap. 416, Section 21a-1
Central office - 165 Capitol Avenue,
Hartford, CT 06106

Number of employees - 169 (All Funds)

Recurring operating expenses -	\$ 15,552,996
General Fund Revenue in 2008	\$ 27,986,801
Transportation Fund Revenue:	\$ 897,011

Organizational structure –

Office of the Commissioner; Regulation of Food & Standards; Regulation of Drugs, Cosmetics & Medical Devices; Regulation of Alcoholic Liquor; Regulation of Occupational & Professional Licensing; Regulation of Trade Practices; Regulation of Public Charities; License Services Division; Legal Services Office; Communications & Consumer Education Office; Administrative & Accounting Services Office; Technical Systems Unit

Mission

The mission of the Department of Consumer Protection is to ensure a fair and equitable marketplace as well as safe products and services for consumers in the industries that it regulates.

Statutory Responsibility

The Department of Consumer Protection is a regulatory agency responsible for protecting citizens from physical injury and financial loss that may occur as the result of unsafe or fraudulent products and services marketed in the State of Connecticut. The extent of the department's regulatory oversight is unique among state agencies since its jurisdiction frequently overlaps with other Connecticut state agencies. The Department is responsible for enforcing numerous significant consumer protection laws including the Connecticut Unfair Trade Practices Act, the Connecticut Pure Food, Drug & Cosmetic Act, the Connecticut State Child Protection Act and the Connecticut Weights & Measures Act. The agency remains vigilant against unexpected, as well as ongoing, health, safety and product-related problems. The Department of Consumer Protection must be able to mobilize staff at any time in order to respond quickly and effectively to a food, drug, product safety or economic crisis affecting Connecticut's marketplace or citizens.

Public Service

During Fiscal Year 2008 – 2009, the Department of Consumer Protection:

- Responded to 18 traffic and highway accidents involving food and beverage products in order to ensure that contaminated/adulterated foods were not distributed to the public.
- Held a Recall Workshop organized by the Food and Standards Division and the Trade Practices Division to educate local health departments and industry representatives about the process involved in recalls of various products, such as food, toys and other goods. Curriculum, marketing and management were all developed within the Department and the session included presentations from the federal Food and Drug Administration, the United States Department of Agriculture, the Connecticut Departments of Public Health, Agriculture, and Consumer Protection.
- Participated in 18 major food recalls including the investigation and successful resolution of Connecticut-packaged broccoli and bean sprouts implicated in a multi-state food-borne outbreak. The Department was also one of the first states in the nation to implicate the Peanut Corporation of America as the source of one of the largest peanut butter recall in the nation's history.
- Investigated various imported Chinese food products for the presence of melamine and caused the removal from sale in Connecticut of three such products: Topaz Wafers, Koala Cookies and White Rabbit candies.
- Continued facilitation of the new Prescription Monitoring Program (PMP), which protects the health and safety of the public by allowing prescribers and pharmacists to access a patient's prescription history to help identify patterns of misuse, diversion and/or abuse. Law enforcement and regulatory personnel also have access to the program to assist them when investigating cases related to doctor shopping, pharmacy shopping and fraudulent activity. The program educated and trained thousands of prescribing practitioners, pharmacists and law enforcement personnel throughout Connecticut on using the PMP system. In addition, the program conducted educational and outreach activities to the general public on prescription drug abuse, safe storage and disposal of prescription medication and taking medications safely.
- Held several public Drug Collection events to collect and dispose of outdated and unwanted medications. The events were designed to promote drug safety in the home, including prescription drug abuse and educate Connecticut residents as to the environmental impact of improper drug disposal since discarding in drains or other sites could contaminate the water supply or soil.
- Provided training to law enforcement officers, pharmacists and health care providers to assist them in identifying narcotic drugs and signs of drug abuse.
- Conducted 758 alcohol compliance checks throughout the State (an increase of 37% over 2007-2008) in partnership with local and state law enforcement officers and youths provided by the Connecticut Coalition to Stop Underage Drinking in order to enhance enforcement of underage drinking laws. A total of 157 of the checked stores failed by selling alcoholic liquor to a minor and, as a result, violators face fines and possible suspensions of their permits.
- Enhanced enforcement of all consumer protection laws by promoting effective resolutions with persons and establishments regulated by the Department. These initiatives included the issuance of 609 compliance meeting notices to licensees (up from 448 in the prior year), 377 guaranty fund payment orders (up from 321), and 38 civil investigative demands/investigatory subpoenas (up from 21). The Department also issued formal administrative complaint/notices, scheduling 198 formal hearings (up from 186), and entered into 1042 settlement agreements (up from 833) that included stipulations, offers in compromise and assurances of voluntary compliance. It prepared 118 formal decisions (up from 48), and enacted numerous consumer protection regulations. These totals represent a 28% overall increase from the previous year.

- Through full implementation of the Department's new online licensing system, the agency processed more than 46,400 online license renewals -- up 45% from the prior year -- generating nearly \$6.6 million in revenue to the State of Connecticut. In addition, the general public may now verify licensees, determine the number and type of complaints against licensees and download lists of licensees online.
- Provided staff and speakers for 85 professional and community programs, conferences and seminars. Audiences reached by Department speakers included food sanitarians, home builders, home improvement professionals, homeowners, professional trades groups, real estate professionals, liquor retailers, law enforcement personnel, business leaders, local community groups, senior citizens and students.
- Held free document shredding event for the public in September 2008 to promote awareness of the need to destroy outdated personal and financial documents in order to prevent identity theft.
- Participated in 2008 Connecticut Career Day in October, providing information and assistance to high school students considering a career in the trades, and to their teachers and guidance counselors.
- Issued 210 press releases on a broad spectrum of issues including numerous toy and children's products recalls, unregistered home improvement contractors, lawsuits and settlements with individuals, small companies and major corporations, unlawful sales of alcohol to minors, the launch of the State's first online Prescription Monitoring Program, and announcements of several public service events.
- Produced and posted to the website informational short videos to advise consumers on how to save money and shop wisely for goods and services.
- Provided monetary restitution to consumers who were financially damaged in the areas of new home construction, home improvement, health club membership, and real estate. Payouts to consumers in Fiscal Year 2009 included: \$2,650,712 from The Home Improvement Guaranty Fund, up 5% from the prior year; \$730,419 from the New-Home Construction Guaranty Fund, an increase of 17% from Fiscal Year 2008; \$25,000 from the Real Estate Guaranty Fund; and \$114,106 paid to 333 consumers from the Health Club Guaranty Fund, up nearly \$100,000 from the prior year's payout of \$15,371. In addition, the State's Deficit Mitigation Plan transferred \$43,000 out of the Itinerant Vendor Guaranty Fund and into the State's General Fund.
- The Department participated in the recovery and return of penalty payments and restitution to consumers through orders or litigation brought under the Connecticut Unfair Trade Practices Act.
- Returned nearly \$1,346,000 to consumers in vehicle replacement value or in refunds of money spent on new cars through manufacturers' compliance with arbitration awards.
- Responded to more than 37,000 consumer calls and 9,000 written consumer complaints.

Improvements/Achievements 2008 – 2009

During Fiscal 2008 – 2009, the Department of Consumer Protection

- Initiated use of a new portable motor fuel tester, which gives onsite results for octane, cetane and water content, and thus improves the Department's efficient response time on complaints related to bad fuel.
- Passed and implemented the nation's first regulations to define "olive oil" in order to eliminate the sales of inferior, misbranded, or blended oils as high grade, premium olive oils.
- Improved information access by engaging in a comprehensive review and overhaul of the agency website resulting in better and more intuitive navigation for users.
- Launched a web application allowing liquor suppliers and wholesalers to electronically post their prices to the agency website on a monthly basis, thereby reducing paperwork and potential loss of pricing information.
- Began assisting the Food and Drug Administration in disseminating drug recall notices to prescribers, pharmacists and pharmacies.
- Collaborated with the Departments of Administrative Services, Public Health, Information Technology and local municipal agencies to develop a pre-event web-based registration process for emergency dissemination of medication to the public and businesses. This system will be implemented in the fall of 2009
- Created and launched a social media (Facebook) page on the Internet to provide important consumer information to new and younger audiences, and to encourage two-way dialog with constituents.

Information Reported as Required by State Statute

The Department of Consumer Protection is firmly committed to the principles and objectives of equal employment opportunity for all individuals. The Department's full-time Affirmative Action Officer Alicia Nunez coordinates and monitors the agency's programs and ensures compliance with the Americans with Disabilities Act, the Fair Employment Practices Act, state Affirmative Action regulations and Contract Compliance laws.

In Fiscal Year 2009, 50 percent of the Department's employees were female and 50 percent were male, with the following composition: 74 percent white, 15 percent black, 7 percent Hispanic, 2 percent Asian and 2 percent Indian. The Department's Affirmative Action plan has been approved by the Connecticut Commission on Human Rights and Opportunities.