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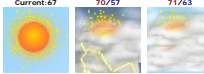
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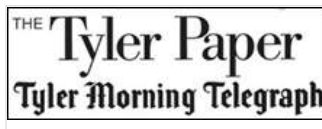
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Unnecessary Regulations Crush Entrepreneurship

Excessive government involvement in everyday life goes far beyond taxes. It now extends to tacos and to Tyler's beloved roses, the Texas Public Policy Foundation's Marc Levin says.



"Thorny Texas regulations apply to everyday items such as roses and tacos that most Texans would think are the province of the private sector," Levin contends. "Moreover, these regulations include criminal penalties, as with 1,700 other state laws and countless city ordinances."

But some of the more useless rules may soon be pruned, he said.

"Earlier this month, the Sunset Advisory Commission, which regularly reviews Texas state agencies to identify ways in which they have outlived their usefulness, unearthed numerous excessive regulations with criminal penalties imposed by the Texas Department of Agriculture," Levin says.

For example, "rose graders" should no longer be required to get a government-issued certificate, the Commission says.

"Unfortunately, the Commission stopped short of recommending that the underlying law mandating the grading of roses be plucked from the books," Levin notes. "No other plant is subject to such bureaucratic burdens."

He says the Commission also took aim at a Department of Agriculture requirement that "a person, packer, handler, dealer, processor or warehouseman may not receive or handle Texas grown fruits or vegetables without a license."

"The Commission suggests that this licensing scheme, which is enforceable with criminal penalties, be eliminated insofar as it applies to cash dealers who sell produce at flea markets and roadsides," Levin reports. "However, the Commission only nibbled at the cornucopia of excessive agriculture regulations."

The government unnecessarily involves itself in not just the growing and selling of food, but also the serving, Levin contends.

"When the food finally makes its way to the plate, the tentacles of government are still stirring the pot," he says. "Dozens of taco truck owners are preparing another lawsuit against the city of Houston over the new mobile food vendor ordinance the city approved late last year. Among the new requirements, mobile food vendors must provide a restroom within 500 feet, presumably by reaching an agreement with a nearby business."

Vendors must also use a city-run water service, instead of a private one.

"Taco truck owners say this costs them three hours out of every day," Levin says. "The city will use radio frequency tags to enforce the requirement - the tags haven't been issued but vendors are already paying for them."

And amazingly, "vendors must file a detailed description of their menu with the city that lists every ingredient in every item," Levin notes.

Other Texas cities have similar unwarranted regulations.

"For example, in San Antonio, it's a misdemeanor if ice is not the proper shape - it must be in 'chipped, crushed or cubed form,'" Levin reports.

Free-market assurances are almost always better alternatives to government regulations.

"Ultimately, Texas farmers and food vendors don't profit from making their customers sick," Levin says.

"In such very rare instances, they can face incredibly costly lawsuits. Instead of producing another crop of rules that stifle entrepreneurship and criminalize ordinary business activities, government should leave the field and let the market for food and flowers bloom."

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