Department of Consumer Protection

Agency Description

The department 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 department's mission is to ensure a fair and equitable marketplace as well as safe products and services for consumers in the industries that it regulates. This protection is achieved through the licensure, inspection, investigation, enforcement and public education activities conducted by staff in seven major programs: the regulation of food and standards; the regulation of drugs, cosmetics and medical devices; the regulation of alcoholic liquor; the regulation of occupational and professional licensing; the regulation of trade practices; the regulation of gambling; and management services.

The department is responsible for enforcing numerous significant consumer protection laws including: the Connecticut Unfair Trade Practices Act; the Connecticut Pure Food, Drug and Cosmetic Act; the Connecticut State Child Protection Act; and the Connecticut Weights and Measures Act.

The agency remains vigilant against unexpected as well as ongoing health, safety and product-related problems. It is 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.

Regulation of Food and Standards

## ***Statutory Reference***

C.G.S. Chapters 250, 250a, 296a, 416, 417, 418, 419a, 419b, 419c, 420d, 736, 743b, 750, 751, 752, and 753.

## ***Statement of Need and Program Objectives***

To protect the health and safety of Connecticut citizens by regulating all persons and businesses that manufacture or sell packaged food products in the state in order to detect and prevent the distribution of adulterated, contaminated, or unsanitary food products. To protect both buyer and seller in marketplace transactions involving the determination of quantity and quality by ensuring that measurements are correct.

## ***Program Description***

Program objectives are achieved through the following activities.

*Enforcement* The Food and Standards Division conducts inspections of food-processing plants, warehouses, retail food stores, bakeries, non-alcoholic beverage plants, frozen dessert plants, vending machine locations, apple juice and cider plants, gasoline stations, heating oil dealers and all weighing and measuring devices used commercially such as retail store scales, motor truck scales, petroleum meters and home delivery truck meters. It checks the packaging, labeling, unit pricing, scanning and advertising of food products, kosher foods and non-food items as well as restaurant menus, advertisements and gasoline station price signs to ensure that the contents and their weights are represented correctly. The division’s investigation of consumer complaints entails interviews with consumers, manufacturers, wholesalers and retailers as well as sample collection and, in many cases, laboratory analysis. Pursuant to a memorandum of understanding with the U. S. Department of Agriculture, the Food and Standards Division is responsible for conducting effectiveness checks on any meat and poultry recalls that affect the State of Connecticut.

*Crisis Response* The Food and Standards Division is an integral part of the State’s inter-agency network for rapid response to food crises during emergency situations, natural disasters and nuclear-related emergencies. Two of the program’s most important crisis response functions are those which pertain to product-tampering incidents and the federal/state recalls of food products. Both of these emergency situations entail communication with manufacturers and distributors, the collection of samples for testing, the possible removal of products from store shelves and complete monitoring of the incident or recall.

*Information and Referral* The Food and Standards Division responds to inquiries from citizens and licensees who are seeking information about food products, food-handling facilities, laboratory services, weights and measures devices, gasoline stations, petroleum products, product recalls, advertisements, state and federal laws and a wide variety of related issues.

*The Measurement Laboratory* The Food and Standards Division houses the State of Connecticut Measurement Center which has custody of the physical standards of mass, length, volume, and temperature (clinical thermometer standards.) The department must maintain accreditation from the U. S. Department of Commerce National Institute of Standards and Technology (NIST) in order to ensure that the calibration services provided to its public and private sector customers are certifiable.

Regulation of Drugs, Cosmetics and Medical Devices

## ***Statutory Reference***

C.G.S. Chapters 370, 400j, 416, 417, 418, 419, 420b, and 420c.

## ***Statement of Need and Program Objectives***

To protect the health and safety of Connecticut citizens by regulating all persons and firms involved in the distribution of drugs, cosmetics and medical devices in order to detect and prevent the diversion of drugs from those channels.

## ***Program Description***

Program objectives are achieved through the following activities.

*Enforcement* The Drug Control Division has both regulatory and enforcement authority (administrative and criminal) relating to the distribution of legal drugs in the State of Connecticut. Its oversight includes all health care practitioners who are authorized to prescribe controlled drugs in the state; all in-state manufacturers, wholesalers and laboratories that handle controlled drugs and/or other drugs, medical devices and cosmetics; and all out-of-state wholesalers that distribute drugs, medical devices and cosmetics within the State of Connecticut. Drug control agents conduct inspections of in-state pharmacies, institutional health care facilities, drug treatment programs, laboratories, individual practitioners' controlled substance stocks, and manufacturers and wholesalers of drugs, cosmetics and medical devices.

The Drug Control Division administers the state’s prescription drug monitoring program which is used by physicians, pharmacists and law enforcement to monitor distribution of controlled substance prescriptions, identify patterns of abuse, and initiate enforcement action where necessary. The Drug Control Division also administers the state’s controlled substance drop box program.

The Drug Control Division administers the state’s medical marijuana program. The first phase was implemented on October 1, 2012, which involved the certification of patients by their physicians.

*Crisis Response* The Drug Control Division is an integral component of the State’s inter-agency network for rapid response to drug crises during emergency situations, natural disasters and nuclear-related emergencies. Two of the program’s most important crisis response functions are those which pertain to product-tampering incidents and the federal/state recalls of drug products since potential public harm could occur as a result of the distribution of damaged or sub-potent products. Both of these emergency situations entail communication with manufacturers and distributors, the collection of samples for testing, the possible removal of products from store shelves and complete monitoring of the incident or recall.

*Information and Referral* The Drug Control Division responds to inquiries from citizens, licensees and law enforcement personnel who are seeking information about pharmaceutical products, drugs, cosmetics, medical devices, pharmacists, pharmacies, health care practitioners, product recalls, advertisements, state/federal laws and a wide variety of related issues.

Regulation of Alcoholic Liquor

## ***Statutory Reference***

C.G.S. Chapter 545.

## ***Statement of Need and Program Objectives***

To protect the health and safety of Connecticut citizens by regulating all persons and firms involved in the distribution, sale and dispensing of liquor in order to prevent sales to minors and intoxicated persons, guarantee product integrity and ensure that licensed premises are safe and sanitary.

## ***Program Description***

Program objectives are achieved through the following activities.

*Enforcement* The Liquor Control Division conducts inspections and investigations to ensure compliance with the provisions of state laws and regulations pertaining to the manufacture, importation, sale and dispensing of liquor. Applicants for liquor permits are investigated to assess their eligibility for licensure while establishments with permits are inspected to ensure that safety, sanitary conditions and suitability of conduct requirements are met. Field agents investigate alleged violations of the State Liquor Control Act that include the sale of alcohol to minors and intoxicated persons; the conduct of premises as it pertains to unlawful activity such as suspected drug dealing, fights, and illegal gambling; deceptive or unfair trade practices; pricing; labeling; violations of regulations regarding adult entertainment; purchases of liquor from prohibited entities; brand registration; reported instances of non-compliance; and consumer complaints involving liquor. The division works in a collaborative manner with state and municipal police officers to conduct joint enforcement actions such as alcohol compliance operations that utilize trained minors. It also seizes liquor products, maintains the evidence for hearings and court cases and subsequently supervises the destruction or disposal of these products.

*Information and Referral* The Liquor Control Division responds to inquiries from citizens, permittees and law enforcement personnel who are seeking information about permit holders, permit requirements, brand registrations, the State Liquor Control Act and regulations, acceptable forms of identification and a wide variety of related issues. It conducts training programs for state and local law enforcement officers, holds workshops for permittees and servers and assists organizations by providing information and strategies designed to prevent underage drinking.

*Liquor Control Commission* The Liquor Control Commission is a three-member regulatory body within the department that is chaired by the Commissioner of Consumer Protection. It oversees provisional permits and holds formal administrative hearings as well as compliance meetings regarding allegations about the suitability of applicants and permittee premises, obtaining liquor permits by fraud, sales to minors and intoxicated persons, unlawful activity on permittee premises and other matters as are delegated to the Liquor Control Commission by the Commissioner of Consumer Protection. The commission reviews and approves final liquor permits, substitute permittee applications, patio requests and other issues that come before it for consideration.

Regulation of Trade Practices

## ***Statutory Reference***

C.G.S. Chapters 214, 246, 283, 368a, 379, 392, 390, 391, 393b, 393c, 396, 399a, 400, 400b, 400f, 400g, 400h, 400i, 400l, 400m, 400o, 420, 420a, 420d, 407, 407a, 412, 419c, 419d, 482, 669, 734a, 734b, 735, 736, 740, 741, 743.

## ***Statement of Need and Program Objectives***

To protect public health and safety by regulating the manufacture, distribution and sale of bedding and upholstered furniture products and by enforcing the provisions of the State Child Protection Act. To ensure that occupational tradespeople and professional are properly engaged in their practice. To provide arbitration for the resolution of complaints concerning new automobiles and motorcycles purchased in Connecticut. The division has regulatory authority over the sale of real estate. Its oversight includes real estate brokers, agents, real estate appraisers, community association managers and mobile home park owners. To protect individual consumers and businesses from harm by detecting, preventing, and deterring unfair and deceptive business practices.

## ***Program Description***

Program objectives are achieved through the following activities.

*Enforcement* The Trade Practices Division receives complaints and conducts reviews and investigations to determine if violations of applicable laws exist. The division also enforces the State Child Protection Act and conducts product testing, monitor injury/death statistics and identifies priority issues from consumer complaints and inspections. Recalls are initiated and monitored when products do not comply with mandatory safety standards. Manufacturers of hazardous substances are inspected to determine if cautionary labeling is accurate and complete. Inspections of bedding and upholstered furniture are conducted at all levels of the manufacturing and distribution chain. The division regulates occupational tradespeople and professionals, real estate, health clubs, homemaker companion agencies, itinerant vendors and hypnotists. It also administers the lemon law arbitration program which provides an independent arbitration mechanism to settle disputes between consumers and automobile manufacturers regarding defective new cars and motorcycles. The Trade Practices Division provides financial relief to consumers from fraudulent activities through its administration of the Home Improvement Guaranty Fund, the Health Club Guaranty Fund, the Itinerant Vendor Guaranty Fund and the New Home Construction Guaranty Fund.

*Crisis Response* The Trade Practices Division recalls products that fail to meet mandatory safety standards. These recall actions entail communication with manufacturers and distributors, collection of samples for testing, possible removal of products from store shelves and a complete monitoring of the product removed from distribution. The division must also respond immediately to cases where emerging hazards develop for new products that represent a serious threat to public health and safety.

*Information and Referral* The Trade Practices Division serves the public by processing, referring, tracking, mediating and making final disposition on all written complaints received.

*Prevention and Deterrence*The Fraud Division identifies, investigates, and intervenes to prevent, halt, and deter fraudulent conduct. Where appropriate, the division takes legal action against organizations that appear to be defrauding or otherwise harming consumers or markets. Where consumer harm has already occurred, the division also attempts to resolve consumer disputes either informally through negotiation or explanation of legal rights or formally through administrative hearings or court action.

*Information and Referral*The complaint center of the Fraud Division serves the public by providing relevant consumer education information, mediating complaints, making complaint histories available and tracking complaints so as to enable the division to identify harmful patterns of conduct and fraudulent practices.

Regulation of Occupational and Professional Licensing

## ***Statutory Reference***

C.G.S. Chapters 390, 391, 392, 393, 393b, 393c, 394, 396, 396a, 399b, 400b, 400f, 400g, 400h, 400i, 400l, 412, 416, 482, 734a, and 826.

## ***Statement of Need and Program Objectives***

To protect Connecticut citizens from health and safety hazards and from unsafe or unscrupulous practitioners by administering a professional licensing procedure which ensures that only qualified, competent individuals are licensed in the occupational trades and in several professional licensing categories. To protect public health and safety through the enforcement of licensing obligations for numerous occupational and professional trades.

## ***Program Description***

Program objectives are achieved through the following activities.

*Enforcement* The Occupational and Professional Licensing Division enforces laws governing approximately 93,000 licensees in 33 areas and, where applicable, administers nationally standardized examinations as approved by each licensing board. License categories handled include, but are not limited to, plumbers, pipefitters, steamfitters, elevator repairers, well-drillers, real estate salespersons and brokers, real estate appraisers, interstate land sales, architects, professional engineers, land surveyors, landscape architects, interior designers, mechanical contractors, television and radio repairers, major contractors, public service technicians, home inspectors, automatic fire sprinkler system layout technicians, mobile home parks, glaziers, operating stationary engineers and pool and spa repairers. The division ensures that applicants for licensure possess the required education and training by testing for specific knowledge of the licensed fields.

*Boards, Commissions and Councils* The Occupational and Professional Licensing Division provides administrative support and works closely with numerous licensing boards, commissions and councils to administer and enforce laws regarding eligibility for licensure and to develop and administer testing procedures that determine competency. These boards include the following: Plumbing and Piping Work Examining Board; Heating, Piping, Cooling and Sheet Metal Work Examining Board; Electrical Work Examining Board; Elevator Craftsman Work Examining Board; Fire Protection Sprinkler Work Examining Board; Automotive and Flat Glass Work Examining Board; Home Inspector Licensing Board; Architectural Licensing Board; State Boards of Examiners for Professional Engineers and Land Surveyors; State Board of Landscape Architects; Real Estate Commission; Real Estate Appraisal Commission; Board of Examiners of Shorthand Reporters; Major Contractor Advisory Council; and Mobile Manufactured Home Park Council.

*Information and Referral* The division responds to inquiries from citizens and licensees who are seeking information about licensing requirements, fees, state and local laws, licensees and a wide variety of related issues.

Regulation of Gambling

## ***Statutory Reference***

C.G.S. Chapters 98, 226, 226a, 226b, and 226c.

## ***Statement of Need and Program Objectives***

To ensure the highest degree of integrity in the conduct of all forms of legalized gambling and the federally recognized Tribal Nations within the State of Connecticut by enforcing applicable statutes and by monitoring and educating to ensure compliance with the gaming laws and the tribal-state agreements.

## ***Program Description***

The Gaming Division discharges its responsibilities through the following activities.

*Casinos* The casino section monitors compliance with gaming procedures and with agreements between the State and the Mashantucket Pequot and Mohegan Tribes. The field staff assists in ensuring compliance with the memoranda of understanding between the tribes and the state by monitoring the drops and buys and reviewing the daily cash count to discover and reconcile any differences. In FY 2012, $344.3 million was contributed to the state under the memoranda of understanding, with Foxwoods contributing $165.5 million and the Mohegan Sun contributing $178.8 million.

*Lottery* The lottery section ensures the integrity of the operation of the Connecticut Lottery Corporation (CLC) by reviewing procedures governing the operation of the lottery; enforcing statutory mandates and regulations; conducting field inspections of CLC headquarters, the lottery on-line vendor and approximately 3,000 lottery agent locations; and overseeing the testing of new lottery games. The lottery transferred $310.0 million into the General Fund in FY 2012. The division regulated lottery sales of almost $1.08 billion during FY 2012.

*Off-Track Betting* The off-track betting section ensures the integrity of the off-track betting system operations and betting activity by monitoring compliance with statutes and regulations involving licensing and integrity issues and oversees daily operations of telephone betting and twelve facilities, eleven of which are simulcast facilities. Off-track betting provided $3.77 million to the General Fund in FY 2012.

*Charitable Games* The Charitable Games section assures compliance with applicable statutes and regulations. Gambling activities by charitable organizations produced total receipts in excess of $32.1 million. Charitable games provided in excess of $683,000 to the General Fund in FY 2012.

*Accounting and Gaming Audit Division* The Accounting Section accounts for revenue derived from charitable gaming registration and permit fees, bingos and sealed tickets. The Gaming Audit Section audits the casino slot revenue and the OTB provider, accounts for the OTB daily tax and chronic gamblers fee. The division also produces accounting and financial reports on State revenues from the casino slot machines, pari-mutuel wagering, and charitable gaming.

*Gaming Surveillance, Enforcement, and Assurance Division*The Gaming Surveillance, Enforcement and Assurance Division is responsible for upholding statutes and regulations as the law enforcement component of the division. The division personnel conduct initial criminal history checks on all individuals applying for gambling licenses and track all applications sent to the Connecticut State Police for background investigation reports. The dvision investigates violations of the statutes and regulations.

Management Services

## ***Statutory Reference***

C.G.S. Chapter 416.

## ***Statement of Need and Program Objectives***

To coordinate and administer policies and programs designed to provide consumer protection to the general public through licensing, investigation, inspection, regulation, enforcement and education.

## ***Program Description***

*The Office of the Commissioner* sets the agency's course by identifying priorities and by anticipating marketplace problems.

*Office of Consumer Education and Communications* is responsible for providing relevant information to the public and alerting citizens to consumer news.

*The Legal Services Office* provides in-house legal support services through administrative enforcement actions such as formal hearings, compliance meetings, agreements containing consent orders, assurances of voluntary compliance, investigative demands and subpoenas.

*The License Services Division* processes all licenses, permits, registrations and certificates issued by the department. The License Services Division issues registrations and/or permits for authorized charitable gaming activities, and assures compliance with applicable statutes and regulations.

*The Administrative and Accounting Services Office* administers consumer restitution funds and accounts receivable activity.

*The Technical Systems Unit* provides information technology support services to the agency.