

Senate Committee on Agriculture

Senator Cathleen Galgiani, Chair

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2013-2014 Legislative Summary

Introduction

This publication provides a comprehensive report of bills heard by the Senate Committee on Agriculture as well as a brief synopsis of the informational hearings held during the 2013-2014 legislative session.

This report is intended to provide a quick reference to bills that were considered by the committee and is not intended to provide a comprehensive analysis of each bill. Each summary includes the bill number and author, with the final status of the bill presented in italics. Bills that the legislature passed and the governor signed into law also include their chapter references.

The committee also keeps a record of all informational hearings. The record includes the hearing agenda, background materials developed by committee staff, testimony, and supporting materials submitted by witnesses. In addition, informational hearings are often audio recorded and occasionally video recorded, and these recordings are available upon request.

If you would like additional information about a particular bill or informational hearing presented in this report, please contact the committee office by phone at (916) 651-1508 or visit the committee's website at <http://sagri.senate.ca.gov>. The Legislative Data Center also maintains a website where all bills and analyses are readily available. This website can be accessed at <http://leginfo.legislature.ca.gov/>.

Senate Bills

SB 171 (Rubio)

California Seed Law

This bill would clarify the definitions of “person” and “neighbor” for the purposes of seed labeling requirements under the California Seed Law. This bill also would amend legislative intent to clarify, in addition to quality, that the amount of seed represented on a label be properly identified. *This bill was withdrawn from the Senate Committee on Agriculture after amendments removed all agriculture-related provisions.*

SB 250 (Wolk)

Olive Oil Commission of California

This bill creates the Olive Oil Commission of California within state government. The commission is authorized to engage in olive oil research, establish a commodity assessment rate, enforce penalties, and recommend grades and labeling standards. This bill does not become operative until a favorable producer referendum vote has been conducted. *Signed into law. Chapter 344, Statutes of 2013.*

SB 348 (Galgiani)

Agricultural seed: county seed enforcement subventions

This bill extends the operation and repeal dates for provisions of the California Seed Law, including an annual county subvention for enforcement activities necessary to carry out these provisions, until July 1, 2016, and January 1, 2017, respectively. *Signed into law. Chapter 385, Statutes of 2013.*

SB 504 (Berryhill)

Fruit, nut, and vegetable standards: civil penalties

This bill authorizes county agricultural commissioners, after exhaustion of the appeal and review process, to obtain judgments from a superior court to expedite recovery of civil penalties levied on violators of the Fruit, Nut, and Vegetable Standards Law. *Signed into law. Chapter 254, Statutes of 2013.*

SB 566 (Leno)

Industrial hemp

This bill allows hemp to be grown in California, upon federal approval, by defining “industrial hemp” as separate from the definition of “marijuana,” a schedule I controlled substance. This bill provides for hemp cultivation practices, laboratory testing, reporting requirements, regulatory authority, and creates the Industrial Hemp Advisory Board. *Signed into law. Chapter 398, Statutes of 2013.*

SB 599 (Evans) Direct marketing: certified farmers' markets: operator fees

This bill would extend the sunset date for the collection of certified farmers' market operator fees and enforcement provisions of direct marketing to January 1, 2018. *This bill was withdrawn from the Senate Committee on Agriculture after amendments removed all agriculture-related provisions.*

SB 675 (Wolk) Animal welfare: standards

This bill would require the California Department of Food and Agriculture to develop standards for animal welfare. *No hearing set. Died in the Senate Committee on Agriculture.*

SB 741 (Cannella) California fairs: funding

This bill would revise the duties, responsibilities, and powers of the California Department of Food and Agriculture, the Department of General Services, and district agricultural associations in regards to the operation, oversight, administration, governance, and funding of the network of California fairs. *Died in the Assembly Appropriations Committee on the Suspense File awaiting hearing.*

SB 835 (Hill) Food animals: medically important antimicrobial drugs

This bill would codify the Food and Drug Administration's Guidance for Industry #213 dated December 2013. This guidance provided recommendations to industry regarding judicious use of medically important antimicrobial drugs. *Vetoed, 2014.*

SB 1018 (de León) Pest control: citrus disease prevention

This bill specifies that only reasonable, rather than all, expenditures incurred by the California Department of Food and Agriculture be reimbursed from the Citrus Disease Management Account for responsibilities related to the Citrus Pest and Disease Prevention Program. As heard in the Senate Agriculture Committee, this bill would have required the secretary to obtain approval from the California Citrus Pest and Disease Prevention Committee for any changes to program activities or increases in expenditures. *Signed into law. Chapter 924, Statutes of 2014.*

SB 1076 (Walters) Retail sale of shelled eggs

This bill would allow the retail sale of a shelled egg produced by a hen housed in accordance with specified regulatory standards. *No hearing set. Died in the Senate Committee on Agriculture.*

SB 1117 (Monning)**Pesticide Contamination Prevention Act**

This bill updates and clarifies the methodology used to determine how pesticides are included on the Groundwater Protection List by deleting prescribed scientific methods and instead requiring the California Department of Pesticide Regulation (DPR), in consultation with a specified subcommittee, to develop peer-reviewed methods. This bill expands DPR's authority to allow the use of certain pesticides and requires DPR to continuously review new data that would impact the validity of previous findings on the potential for pesticides to pollute groundwater. *Signed into law. Chapter 626, Statutes of 2014.*

SB 1332 (Wolk)**Pesticides: carbon monoxide pest control devices**

This bill authorizes the director of the California Department of Pesticide Regulation to adopt and enforce regulations that provide for the proper, safe and efficient use of carbon monoxide pest control devices for the protection of public health and safety and the environment. This bill provides that violations are a misdemeanor and subject to prosecution or civil penalty. *Signed into law. Chapter 257, Statutes of 2014.*

SB 1381 (Evans)**Food labeling: genetically engineered food**

This bill would establish the California Right to Know Genetically Engineered Food Act and would require packaged foods and raw agricultural commodities produced through genetic engineering to be labeled as "Genetically Engineered." *Amended and withdrawn from the Senate Committee on Agriculture.*

SB 1399 (Galgiani)**Agricultural seed: county seed enforcement subventions**

This bill extends the operation and repeal dates for provisions of the California Seed Law. This bill gives greater discretion to the secretary of the California Department of Food and Agriculture, in consultation with the Seed Board, to determine the formula used to reimburse commissioners for their work enforcing the seed law and would allow for multi-year memorandums of understanding between commissioners and CDFG. *Signed into law. Chapter 277, Statutes of 2014.*

SB 1411 (Jackson)**Pesticides: application safety**

This bill would authorize county agricultural commissioners to adopt regulations to prohibit the use of any pesticide within one-quarter mile of a school. This bill would require that schools and other specified sites within one-quarter mile of planned pesticide application be notified in writing. This bill would require that signs posted in fields include the name of the pesticide, date and time of the restricted entry interval, the telephone numbers of the commissioner and pesticide applicator, and would require that the pesticide applicator's telephone be answered at all times. *Failed passage in the Senate Committee on Agriculture.*

Assembly Bills

AB 69 (Perea)

Groundwater: drinking water: Nitrate at Risk Fund

This bill would require a person who sells fertilizer for use in California to pay a fertilizer materials charge. This bill would establish the Nitrate at Risk Fund to provide funds for loans or grants to specified water systems operating in a high-nitrate, at-risk area for specified purposes. *This bill was withdrawn from the Senate Committee on Agriculture after amendments removed all agriculture-related provisions.*

AB 224 (Gordon)

Agricultural products: direct marketing: community-supported agriculture

This bill defines “community-supported agriculture” (CSA) within the direct marketing program regulated by the California Department of Food and Agriculture. This bill establishes regulatory parameters and requires CSA registration fees to fund administration and related programmatic costs, as specified. *Signed into law. Chapter 404, Statutes of 2013.*

AB 571 (Gatto)

Agricultural pest control: citrus disease prevention

This bill would appropriate \$5 million from the General Fund to the Citrus Disease Management Account within the California Department of Food and Agriculture Fund for the purposes of combating citrus disease or its vectors. *Vetoed, 2013.*

AB 654 (Hall)

Direct marketing: certified farmers’ markets

This bill extends the sunset date for the collection of certified farmers’ market operator fees and enforcement provisions of direct marketing to January 1, 2018. *Signed into law. Chapter 409, Statutes of 2013.*

AB 1038 (Pan)

Milk products: California Dairy Future Task Force

This bill would codify the California Dairy Future Task Force, encourage the secretary of the California Department of Food and Agriculture to engage the Task Force to develop recommendations that would achieve long-term success and sustainability for the dairy industry, and would direct the Task Force to address specified issues and report recommendations by July 1, 2014. This bill would also appropriate funding for administration and activities of the Task Force from existing industry assessments. *Died on the Assembly Inactive File.*

AB 1132 (Eggman)

Agriculture: livestock drugs and commercial feed

This bill increases both the livestock drug license application fee and late payment fee to \$50, authorizes the secretary of the California Department of Food and Agriculture to establish hazard analysis and preventive control measures for all commercial feed, and extends the sunset date for commercial feed license fees, inspection tonnage tax, and provisions regarding the inspection tonnage tax to January 1, 2020. *Signed into law. Chapter 622, Statutes of 2013.*

AB 1175 (Bocanegra)

**Food and Agriculture: cooperative agreements:
agricultural inspector associates**

As heard in the committee, this bill prohibits the California Department of Food and Agriculture from entering into cooperative agreements with Los Angeles County for agricultural inspection services unless an unspecified percentage of agricultural inspector associates are afforded protections as permanent employees. *Signed into law. Chapter 588, Statutes of 2014.*

AB 1319 (Eggman)

Agriculture

This bill eliminates state indemnity compensation for the slaughter of brucellosis-positive cattle and provides equal compensation to owners of reacting (diseased) and non-reacting (exposed) cattle slaughtered for the purpose of brucellosis eradication. This bill also adds the secretary of the California Department of Food and Agriculture to the Strategic Growth Council. *Signed into law. Chapter 623, Statutes of 2013.*

AB 1388 (Assembly Agriculture Committee)

**Horses: test verification, horse shows,
competitions, and sales**

This bill amends testing requirements for equine infectious anemia, makes changes to the Equine Medication Monitoring Program by redefining horse events and horse sales subject to this chapter, and transfers the approved medication list and maximum acceptable drug levels in horses from statute to departmental regulation. *Signed into law. Chapter 116, Statutes of 2013.*

AB 1389 (Assembly Agriculture Committee)

Agriculture

This bill amends the number of members appointed to the Shell Egg Advisory Committee and allows for the San Joaquin Valley Quality Cotton District to become inoperative, as specified. This bill also amends the California Asparagus Commission to remove the use of geographical districts, consecutive term limits for members, and deletes provisions allowing the commission to function as a corporation. *Signed into law. Chapter 383, Statutes of 2013.*

AB 1390 (Assembly Agriculture Committee) Milk products: pasteurization: goat milk

This bill allows licensed milk products plants to import pasteurized goat milk cheese curd from separate, off-site licensed milk products plants or similar food facilities registered with the U.S. Food and Drug Administration for the purposes of goat milk cheese manufacturing. *Signed into law. Chapter 107, Statutes of 2013.*

AB 1414 (Assembly Accountability & Administrative Review Committee) Weights and measures: annual report

This bill would require the California Department of Food and Agriculture to post to its website an annual report regarding weights and measures. This report is currently required to be provided to the governor. *Amended to remove all provisions and re-referred to the Senate Committee on Agriculture (see below).*

AB 1414 (Assembly Agriculture Committee) Pasteurized in-shell eggs: labeling

This bill defines “pasteurized in-shell eggs” and includes these eggs in the definition of an “egg handler.” This bill exempts pasteurized in-shell eggs from current labeling requirements for “shell eggs” and instead creates new labeling requirements and sell-by date criteria for pasteurized in-shell eggs. *Signed into law. Chapter 11, Statutes of 2014.*

AB 1566 (Holden) Inedible kitchen grease

This bill expands the authority of California Department of Food and Agriculture (CDFA) and California Highway Patrol employees to enforce inedible kitchen grease laws and regulations. This bill extends the sunset date for the collection of annual fees charged by CDFA; authorizes CDFA to deny, suspend, or revoke licenses and registrations; increases violation penalties; and makes conforming and technical changes. *Signed into law. Chapter 595, Statutes of 2014.*

AB 1597 (Assembly Agriculture Committee) Food and agriculture

This omnibus bill extends the repeal date for provisions of the fruit, nut, and vegetable standardization program to January 1, 2020, and conforms state law to a new federal regulation in regards to required medical documents for horses and other equines when crossing state borders. *Signed into law. Chapter 281, Statutes of 2014.*

AB 1642 (Chesbro) Pest control: Pierce’s disease

This bill extends sunset dates for provisions relating to Pierce’s disease and the glassy-winged sharpshooter and makes technical amendments. *Signed into law. Chapter 231, Statutes of 2014.*

AB 1647 (Bigelow)**Fairs: Department of Food and Agriculture**

This bill would repeal the requirement that specified fairs report the number of credential and courtesy passes issued. This bill would repeal requirements that the California Department of Food and Agriculture expend funds relating to exhibits. *This bill was withdrawn from the Senate Committee on Agriculture after amendments removed all agriculture-related provisions.*

AB 1722 (Bigelow)**Cattle protection**

This bill prohibits anyone from registering or owning a cattle brand for five years if convicted of grand theft for stealing specified livestock. This bill requires such person to submit any cattle in their possession for brand inspection and to pay all costs incurred. This bill imposes a civil penalty in the amount of \$1,000 per animal found in violation and increases the service fee for cattle brand inspections. *Signed into law. Chapter 129, Statutes of 2014.*

AB 1871 (Dickinson)**Agricultural products: direct marketing:
certified farmers' markets**

This bill revises provisions related to certified farmers' markets by increasing fees and penalties and expanding requirements, enforcement, and violations. *Signed into law. Chapter 579, Statutes of 2014.*

AB 2033 (Salas)**Agricultural career technical education: grant funding**

This bill would state the intent of the legislature to continue appropriating \$4.134 million from the General Fund/Proposition 98 to the Agricultural Career Technical Education Incentive Program and would require school districts to demonstrate how the expenditure of these grant funds will be consistent with its local control and accountability plan. *Died in the Senate Appropriations Committee.*

AB 2185 (Eggman)**Bees: apiculture: state-owned lands**

This bill would require the Department of Fish and Wildlife and the Department of Transportation to encourage apiculture (beekeeping) on public lands that these departments respectively manage. *Signed into law. Chapter 338, Statutes of 2014.*

AB 2402 (Buchanan)**Noxious weed management**

This bill redistributes the allocation of funds within the Noxious Weed Management Account to be used for specific activities, such as weed control and research, and to the California Department of Food and Agriculture to carry out provisions of noxious weed management. *Signed into law. Chapter 271, Statutes of 2014.*

AB 2413 (John A. Pérez)**The Office of Farm to Fork**

This bill creates the Office of Farm to Fork within the California Department of Food and Agriculture to, among other things, promote food access and increase the amount of agricultural products available to underserved communities and schools within California. *Signed into law. Chapter 583, Statutes of 2014.*

AB 2470 (Salas)**California Seed Law**

This bill defines “neighbor” and adds “corporation” to the definition of “person” within the California Seed Law and prohibits the adoption or enforcement of a local ordinance that regulates plants, crops, or seeds without the consent of the secretary of the California Department of Food and Agriculture. *Signed into law. Chapter 294, Statutes of 2014.*

AB 2490 (Eggman)**District agricultural associations**

This bill revises several provisions relating to state oversight of district agricultural associations (fairs). This bill authorizes these fairs to take specified actions without the prior approval of state agencies, authorizes the governor to remove fair board members with cause, and reduces the frequency of audits for smaller fairs, among other provisions and technical changes. *Signed into law. Chapter 342, Statutes of 2014.*

AB 2730 (Eggman)**Animal disease planning**

As heard in committee, this bill would require the California Department of Food and Agriculture by July 1, 2015, to develop and maintain a list of animal diseases that are likely to enter California and, to the extent funding is available, develop a written plan for the detection, exclusion, eradication, control, or management of higher priority animal diseases on this list. *Amended to remove all provisions and withdrawn from the Committee on Agriculture (see below).*

AB 2730 (Eggman)**Alternative milk marketing agreements**

This bill would amend, repeal, and add provisions relating to milk marketing, milk pricing, and alternative milk marketing agreements. *Died in the Senate Rules Committee.*

Informational Hearings

Senate Agriculture Committee Hearings

11/4/13 The Federal Food Safety Modernization Act: Impact of the Proposed Produce Rule on California On-Farm Agricultural Production

This hearing focused on issues relative to the impact that the Federal Food Safety Modernization Act's proposed Produce Rule would have on California farms and farming practices. This hearing provided a forum to discuss the proposal and its impact on various agricultural commodities and production systems within California. *The hearing was held in Stockton, California.*

3/18/14 The Future of California Agricultural Education and UC Cooperative Extension

This hearing examined the current state of agricultural education in California from two perspectives: high school agricultural education and UC Cooperative Extension. California agriculture is continuously faced with mounting challenges such as natural disasters, new pests and diseases, drought, and the rising age of the average farmer. California will need to develop and train farmers, ranchers, scientists, and other agricultural leaders who are well equipped to solve today's challenges as well as those of the future. *The hearing was held in Sacramento, California.*

11/14/14 Stopping the Spread of Asian Citrus Psyllid: Challenges and Solutions

This hearing provided the committee and the public an opportunity to discuss the threat of Asian citrus psyllid (ACP) and Huanglongbing (HLB) to California's agricultural and residential citrus trees. This hearing provided an update on the recent spread of ACP and identified challenges and solutions to detecting, combating, and eradicating ACP/HLB in California. *The hearing was held in Modesto, California.*

Senate Subcommittee on Invasive Species Hearings

5/9/13 Aquatic Invasive Weeds in the Delta: Impact and Control

This hearing investigated invasive weeds that have become, or could become, significant threats to the Delta. When uncontrolled, these weeds threaten businesses and communities by obstructing navigation channels, marinas, and irrigation systems and may also damage natural ecosystems and habitats by crowding out native plants and wildlife. *The hearing was held in Stockton, California.*

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