

Senate Committee on Agriculture

Senator Cathleen Galgiani, Chair

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2015-2016 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 and oversight hearings held during the 2015-2016 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 and oversight hearings. The record includes the hearing agenda, background materials developed by committee staff, testimony, and supporting materials submitted by witnesses. In addition, informational and oversight hearings are often audio recorded and video recorded, and these recordings are available upon request.

If you would like additional information about a particular bill or informational or oversight 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 27 (Hill)

Livestock: use of antimicrobial drugs

This bill restricts the use of medically important antimicrobial drugs in livestock for specified purposes, requires a veterinarian's prescription or feed directive for use, and eliminates the over-the-counter availability of these drugs; requires the California Department of Food and Agriculture (CDFA), in coordination with federal programs and agencies, to develop a program to track antimicrobial drug use in livestock and the emergence of antimicrobial-resistant bacteria; and requires CDFA to develop antimicrobial stewardship guidelines and best management practices on the proper use of these drugs. *Signed into law. Chapter 758, Statutes of 2015.*

SB 65 (Wolk)

Food labeling: olive oil

This bill removes the use of American Viticultural Areas from olive oil labels and instead uses specific regions or estates within California to indicate oil source. This bill requires that olive oil labeled as originating from a specific region of California contain at least 85% oil made from olives grown in that specified region and if labeled from a specific estate, 95% from olives grown on the specified estate. *Signed into law. Chapter 138, Statutes of 2015.*

SB 367 (Wolk)

Agricultural lands: greenhouse gases

This bill would have expanded the membership and duties of the California Department of Food and Agriculture's (CDFA) Science Advisory Panel on Environmental Farming to include on-farm practices to reduce greenhouse gas emissions and increase carbon storage in soil. This bill would appropriate \$25 million from the Greenhouse Gas Reduction Fund to CDFA for the establishment of a new grant program to support these activities. This bill would also appropriate 2% of the proceeds from this fund to the Strategic Growth Council's Sustainable Agricultural Lands Conservation Program to also address on-farm reductions of greenhouse gases and increased carbon storage. *Held in the Assembly Appropriations Committee.*

SB 699 (McGuire)

Food banks: Food Bank Advisory Committee

This bill would have expanded the duties of the Food Bank Advisory Committee and would have provided clarifying and nonsubstantive changes. *Died in the Senate Committee on Agriculture.*

SB 740 (McGuire)

California Marketing Act of 1937: marketing orders: notice

This bill would have required the secretary of the California Department of Food and Agriculture to post on the department's internet website any specified changes to a marketing order or marketing agreement. *This bill was withdrawn from the Senate Committee on Agriculture after amendments removed all agriculture-related provisions.*

**Olive Oil Commission of California:
SB 746 (Wolk) voting members: chair of advisory committee**

This bill changes the chair of the advisory committee from an ex-officio member to a voting member on the Olive Oil Commission of California Board of Directors. This bill also requires the chair of the advisory committee to designate an alternate to serve in the chair's absence. *Signed into law. Chapter 278, Statutes of 2016.*

SB 770 (Mendoza) Department of Food and Agriculture: medicated feed

This bill requires the California Department of Food and Agriculture to continue to be the primary regulatory agency responsible for regulating medicated feed. *Signed into law. Chapter 806, Statutes of 2015.*

**SB 822 (Roth) Agricultural pest control:
citrus disease prevention: monthly assessment**

This bill increases the maximum monthly citrus assessment fee from \$0.09 to \$0.12 per 40-pound carton. *Signed into law. Chapter 279, Statutes of 2016.*

SB 961 (McGuire) Secretary of Food and Agriculture: fiscal duties: collection

This bill would have increased from \$5 to \$25 the amount considered too small to justify the cost of its collection by the California Department of Food and Agriculture. *No hearing requested by author. Died in the Senate Committee on Agriculture.*

SB 1247 (Jackson) Agricultural innovation zones: voluntary incentive program

This bill would have required the Department of Pesticide Regulation to establish, in consultation with the California Department of Food and Agriculture, a voluntary incentive program for farmers who utilize environmental farming practices within an "agricultural innovation zone," as defined. This bill would have required at least 50% of any funding made available to be given to projects that avoid applications of pesticides other than those approved for use in organic production. *Hearing canceled at the request of the author. Died in the Senate Committee on Agriculture.*

SB 1270 (Galgiani) Diseased animals and poultry: regulation: fee schedule

This bill authorizes the California Department of Food and Agriculture to establish a fee schedule to recover the reasonable costs associated with animal health services that do not provide a benefit beyond the payer. *Signed into law. Chapter 309, Statutes of 2016.*

Assembly Bills

AB 20 (Alejo)

Undocumented workers: California Agricultural Act

This bill would have enacted the California Agricultural Act to create a model program to provide undocumented agricultural employees with a permit to work and live in California and would have directed the state Employment Development Department and the California Department of Food and Agriculture to convene a working group to consult with the federal government and other stakeholders on how to best implement this program. *Held in the Senate Appropriations Committee.*

AB 264 (Dahle)

Farm products: processors: produce dealers: seeds

This bill removes seeds from the definition of “farm product” under market enforcement provisions regarding produce dealers, thus removing seed dealers from these provisions. This bill retains a provision regarding the use of product liens for seed owned and grown by a seed producer and sold to a seed dealer under contract. This bill adds to the California Seed Law the authority for the California Department of Food and Agriculture to establish methods and procedures to settle disputes regarding financial terms and lack of payment by a seed dealer to a seed grower. *Signed into law. Chapter 294, Statutes of 2015.*

AB 315 (Bigelow)

Fairs: annual reports and expenditures

This bill would have repealed the requirement that the California Department of Food and Agriculture spend \$100,000 for specified exhibits located at the fair and \$15,000 for a conference of fair exhibit judges. *This bill was later amended and all agriculture-related provisions removed.*

AB 629 (Perea)

Market milk: stabilization and marketing plans: minimum prices

This bill would have required the secretary of the California Department of Food and Agriculture to ensure that milk producers and handlers receive a notice of monthly milk component prices. *The author resigned and the bill was returned to Rules Committee where subsequent amendments removed all agriculture-related provisions.*

AB 655 (Quirk)

Rendering: inedible kitchen grease: registration fee: additional fees

This bill increases the registration fee and other fees charged by the California Department of Food and Agriculture to cover administrative costs associated with the transportation of inedible kitchen grease and authorizes the department to raise specified fees only upon recommendation of the Rendering Industry Advisory Committee. *Signed into law. Chapter 286, Statutes of 2016.*

AB 689 (Dodd) Marketing of eggs: violations: administrative and civil penalties

This bill authorizes the California Department of Food and Agriculture (CDFA) to refuse to issue, or suspend or revoke, an egg handler or egg producer certificate of registration, as specified; authorizes CDFA to adopt regulations to classify egg marketing violations and increase the maximum civil penalty from \$1,000 to \$10,000; and authorizes CDFA and county agricultural commissioners, in lieu of prosecution, to levy an administrative penalty, as specified. *Signed into law. Chapter 302, Statutes of 2015.*

AB 732 (Cooper) Cattle protection: brands: inspection: fees

This bill exempts cattle from brand inspection when sold or ownership is transferred when all of the following apply: the entity with a controlling interest does not change, the cattle remain within California or the point-of-origin inspection area, and the cattle are associated with a registered brand or dairy exemption number. This bill also increases specified related fees for brand registration and cattle inspection by approximately 20%. *Signed into law. Chapter 406, Statutes of 2015.*

AB 751 (Cooper) Vertebrate pest control research: repeal extension

This bill extends the repeal date for provisions relating to vertebrate pest control from January 1, 2016 to January 1, 2026. *Signed into law. Chapter 372, Statutes of 2015.*

AB 761 (Levine) Carbon sequestration: working lands

This bill would have defined “carbon farming” and “working lands” and would have required the California Department of Food and Agriculture to establish, should moneys be appropriated, a grant program to fund projects on working lands that increase carbon sequestration and greenhouse gas emission reductions. *Held in the Senate Appropriations Committee.*

AB 862 (Agriculture Committee) Agriculture

This bill makes clarifying and substantive changes to the Food and Agricultural Code in regards to citrus pest and disease prevention expenditure reimbursements and adds “cultivated mushrooms” and “herbs” to the list of products that cannot be sold in areas in proximity to a certified farmers’ market. *Signed into law. Chapter 374, Statutes of 2015.*

AB 958 (Agriculture Committee) Agriculture: California Avocado Commission: California Salmon Council

This bill changes the membership and district reapportionment of the California Avocado Commission; requires the secretary of the California Department of Food and Agriculture to hold a referendum vote to include salmon handlers on the California Salmon Council (CSC), as specified; and provides for CSC implementation procedures, membership, and other conforming changes should the referendum affirm handler participation. *Signed into law. Chapter 307, Statutes of 2015.*

AB 1039 (Agriculture Committee) Fertilizing materials: violations: administrative penalty: filing of final judgment

This bill removes the authority of the California Department of Food and Agriculture (CDFA) to levy a civil penalty against a person in violation of provisions relating to fertilizer and instead authorizes CDFA to levy an administrative penalty. This bill authorizes CDFA to file the department's final decision directing payment of an administrative penalty and, if applicable, an order denying a petition for a writ of administrative mandamus with the county court clerk who shall enter judgment immediately and at no cost. *Signed into law. Chapter 227, Statutes of 2015.*

AB 1135 (Agriculture Committee) Agricultural products

This bill would have reimbursed the secretary of the California Department of Food and Agriculture for all, rather than only reasonable, expenditures incurred in carrying out duties in regards to citrus pest and disease prevention and would have added "cultivated mushrooms" and "herbs" to the list of products that cannot be sold in areas in proximity to a certified farmers' market. *This bill was withdrawn from the Senate Committee on Agriculture after amendments removed all agriculture-related provisions.*

AB 1259 (Levine) Bees: apiculture: state-owned lands

This bill requires the Department of Fish and Wildlife to consider authorizing, rather than permitting, apiculture on department-managed wildlife areas; allows the department to temporarily authorize the placement of beehives on these lands through simple lease or permit agreements that are not subject to competitive bidding; and makes findings and declarations. This bill contains an urgency clause. *Signed into law. Chapter 380, Statutes of 2015.*

AB 1321 (Ting) Nutrition Incentive Matching Grant Program

This bill establishes the Nutrition Incentive Matching Grant Program in the Office of Farm to Fork within the California Department of Food and Agriculture to encourage the purchase and consumption of fresh fruits, nuts, and vegetables by connecting farmers with food assistance recipients. *Signed into law. Chapter 442, Statutes of 2015.*

AB 1363 (Salas) Animals: estrays: alpacas, llamas, and goats

This bill adds alpacas, llamas, and goats to the definition of "estrays"; adds sheep, swine, alpacas, llamas, and goats to the list of animals that require a poundkeeper or public animal control agency or shelter to immediately notify the secretary of the California Department of Food and Agriculture (CDFA) upon impoundment; and requires CDFA to take possession of that animal. *Signed into law. Chapter 444, Statutes of 2015.*

AB 1810 (Levine) California Seed Law: exclusions: noncommercial seed sharing

This bill defines “noncommercial seed sharing activity” and requires entities participating in these activities to notify the California Department of Food and Agriculture (CDFA); authorizes CDFA to post information on its website regarding noncommercial seed sharing activities; declares that the California Seed Law is intended to support noncommercial seed sharing; and exempts seed distributed or received by noncommercial seed sharing activities from seed labeling requirements. *Signed into law. Chapter 259, Statutes of 2016.*

AB 1811 (Dodd) Fertilizer: organic input material: registration: inspections

This bill authorizes the California Department of Food and Agriculture to develop a new schedule for organic input material label registrations; authorizes provisional label registrations, as specified; prioritizes inspections for high-risk products and manufacturers; and authorizes the department to determine whether a fertilizer material is mislabeled, as specified. *Signed into law. Chapter 448, Statutes of 2016.*

AB 1826 (Stone) Organic products

This bill recasts and revises the California Organic Products Act of 2003; revises the composition of the California Organic Products Advisory Committee; revises registration fee payment tiers based on gross product sales; revises required information provided during registration and for recordkeeping; and makes technical and conforming changes. *Signed into law. Chapter 403, Statutes of 2016.*

AB 1894 (Agriculture Committee) Food and agriculture: omnibus bill

This bill updates frozen dairy dessert food safety requirements to incorporate new technologies; clarifies the authority of the California Department of Food and Agriculture Dairy Marketing Branch to fund educational and research activities; aligns citrus handler assessment fee due dates; deletes term limits for members of the California Sheep Commission; and clarifies Williamson Act contracted land cancellation values and fees. *Signed into law. Chapter 260, Statutes of 2016.*

AB 1976 (Irwin) Food and agriculture: marketing advisory and promotional boards, councils, and commissions

This bill exempts specified agricultural marketing and promotional advisory boards, commissions, and councils from the Bagley-Keene Open Meeting Act requirement that each teleconference location be identified. This bill also reduces the number of handler members on the California Avocado Commission and makes other changes and requirements regarding commission membership, definitions, and time permitted to submit information to the California Department of Food and Agriculture. *Signed into law. Chapter 451, Statutes of 2016.*

AB 2074 (Rodriguez)

Fairs: credential and courtesy pass admissions

This bill would have repealed the requirement that fairs annually report to the California Department of Food and Agriculture the total number of credential and courtesy pass admissions issued and honored at the fair. *No hearing requested by author. Died in the Senate Committee on Agriculture.*

AB 2324 (Eggman)

Certified farmers' markets

This bill adds “raw sheared wool” to the list of products that can be sold at a certified farmers’ market (CFM); states the intent of the Legislature that the California Department of Food and Agriculture endeavor to keep CFM administrative costs to a minimum; and states that CFM operators may create and keep vendor marketing records containing additional information other than what is required by law or regulation and may contractually require vendors to provide this information in order to sell at the market. *Signed into law. Chapter 384, Statutes of 2016.*

AB 2483 (Agriculture Committee)

Livestock Identification Advisory Board

This bill decreases the minimum number of required meetings of the Livestock Identification Advisory Board from once every three months to twice annually. *Signed into law. Chapter 200, Statutes of 2016.*

Seed Advisory Board: alfalfa seed subcommittee:

AB 2504 (Agriculture Committee)

assessments: alfalfa hay producers

This bill would have authorized the Seed Advisory Board to make recommendations to the secretary of the California Department of Food and Agriculture to assess alfalfa seed sold in this state to fund research to benefit the alfalfa forage industry; would have authorized the board to assess alfalfa hay producers up to \$0.10 per pound of alfalfa seed sold by the producer; and, upon recommendation of the Seed Advisory Board, would have established an alfalfa seed subcommittee, as specified. *Hearing canceled at the request of the Author. Died in the Senate Committee on Agriculture.*

AB 2511 (Levine)

Fertilizing materials: auxiliary soil and plant substances: biochar

This bill clarifies that “biochar” is a soil amendment that is included in the definition of “auxiliary soil and plant substance” and, therefore, subject to licensing and labeling laws, and defines “biochar” to mean materials derived from thermochemical conversion of biomass in an oxygen-limited environment containing at least 60 percent carbon. *Signed into law. Chapter 331, Statutes of 2016.*

Medical cannabis:

AB 2516 (Wood) **state cultivator license types: specialty cottage type**

This bill creates a Type 1C, or “specialty cottage,” medical marijuana cultivator license. *Signed into law. Chapter 827, Statutes of 2016.*

AB 2574 (Chavez) **Veteran farmers and ranchers**

This bill would have defined “veteran farmer or rancher” and would have required by July 1, 2017, state departments to develop the New Veteran Farmer and Rancher Outreach and Assistance Plan to inform veterans in California about agricultural education, training, and assistance programs available through government agencies or other public or private resources. *Held in the Senate Appropriations Committee.*

AB 2635 (Agriculture Committee) **Public health: food access**

This bill extends the operation and repeal dates for provisions of the California Healthy Food Financing Initiative until July 1, 2023, and January 1, 2024, respectively. *Signed into law. Chapter 394, Statutes of 2016.*

**Meat processing establishment, custom livestock slaughterhouse,
and poultry plants: licensing and inspectors**

AB 2716 (Dodd)

This bill extends, until January 1, 2022, the licensing fees for livestock and poultry meat inspectors, livestock meat processing inspectors, and livestock processing facilities, slaughterhouses, and poultry plants, as specified. *Signed into law. Chapter 247, Statutes of 2016.*

AB 2888 (Agriculture Committee) **State supported fairs: food and fiber exhibits**

This bill would have authorized rather than required the secretary of the California Department of Food and Agriculture to spend up to \$100,000 for specified exhibits located at the fair and would have authorized rather than required the secretary to provide for a conference of fair judges. *This bill was withdrawn from the Senate Committee on Agriculture after amendments removed all agriculture-related provisions.*

Oversight and Informational Hearings

Senate Committee on Agriculture Hearings

Impacts of the Drought on Agriculture December 3, 2015

This informational hearing focused on issues relative to the impact of the prolonged four-year drought on California agriculture and the surrounding communities and what measures are or can be taken to mitigate the effects of the drought. This hearing also provided an update on state programs and activities to assist sustainable water use on farms; discussed the multiplier effects of the drought on agricultural communities such as the impact on schools and farmworkers; and discussed current adaptation strategies and changes in farming practices in response to water availability and conservation. *This hearing was held at the State Capitol in Sacramento, California.*

Crisis in the Golden State: Asian Citrus Psyllid's Threat to Destroy California Citrus May 17, 2016

This informational hearing focused on the crisis facing California citrus due to the rapid spread of Asian citrus psyllid (ACP) throughout California and the additional finds of Huanglongbing (HLB) in the Los Angeles Basin. As already seen in Florida, this tiny invasive pest and the deadly disease it carries has the ability to devastate both the citrus industry as well as residential citrus trees because we do not yet have a cure or treatment for infected trees. Expert witnesses discussed current state, federal, and local actions to detect, control, and prevent the spread of ACP and HLB; the economic impact of ACP/HLB in California; and strategies and solutions to mitigate the spread of ACP/HLB and efforts to find a cure to treat infected trees. *This hearing was held at the State Capitol in Sacramento, California.*

Controlling Water Hyacinth in the Delta: An Update on Current and Future Strategies September 27, 2016

This oversight hearing provided an update on current invasive aquatic weed control strategies in the Delta and a discussion of the challenges, growing partnerships, and solutions to controlling water hyacinth. Water hyacinth is a highly prolific weed that obstructs Delta waterways and marinas, damages natural ecosystems, creates human health and safety hazards, and consumes valuable water resources. Previous hearings have been held on this issue; however, the prevalence of water hyacinth and emerging problematic invasive weeds continue to threaten the health and vitality of the Delta. The California Division of Boating and Waterways, USDA, NASA, as well as other governmental entities, private businesses, and individuals are forming new partnerships to keep water hyacinth from choking the Delta, and the hearing provided the opportunity to discuss these activities and any potential solutions. *This hearing was held at Stockton City Hall, Council Chambers, in Stockton, California.*

Senate Subcommittee on Invasive Species Hearings

An Evaluation of Strategies to Eradicate and Control Aquatic Invasive Weeds in the Delta March 27, 2015

This oversight hearing evaluated the effectiveness of invasive weed control and mitigation strategies currently underway in the Sacramento–San Joaquin River Delta. Of specific concern was water hyacinth, a highly prolific weed that obstructs waterways and marinas, damages natural ecosystems, creates human health and safety hazards, and consumes valuable water resources. Witnesses included local, state, and federal government officials, who provided testimony as to the current activities underway by their respective entities, as well as local business owners representing the Port of Stockton and impacted marinas. *This hearing was held at the San Joaquin County Administration Building in Stockton, California.*