

Date of Hearing: March 15, 2023

ASSEMBLY COMMITTEE ON AGRICULTURE
Robert Rivas, Chair
AB 404 (Connolly) – As Introduced February 2, 2023

SUBJECT: Department of Food and Agriculture: reporting requirements: small and mid-scale farmers

SUMMARY: This bill would require the California Department of Food and Agriculture (CDFA) to evaluate duplicative reporting requirements that affect small and mid-scale farmers and farming operations, as specified. Specifically, *this bill*:

- 1) Requires CDFA to evaluate duplicative reporting requirements that affect small and mid-scale farmers and farming operations, including, but not limited to, reporting requirements related to the process of transitioning to organic farming and obtaining organic certification.
- 2) Requires CDFA, on or before January 1, 2025, to submit a report to the Legislature, including suggestions to amend or remove unnecessary reporting requirements in order to relieve regulatory burdens, as specified.
- 3) Repeals the above requirements on January 1, 2026.

EXISTING LAW: Establishes CDFA and charges it with various duties and obligations. (Food and Agriculture code 101-105)

FISCAL EFFECT: Unknown

COMMENTS: In 2010, CDFA Ag Vision report stated “California agriculture is the most highly-regulated in the nation and probably the world. Producers must comply with many different government regulations covering everything from environmental quality and food safety to farm labor standards. These regulations were adopted to protect our health, the environment and those who work in the fields; and the progress that producers have made in complying with them has resulted in improvements in each of these areas. However, the regulations are often duplicative, conflicting, uncoordinated, inflexible, inconsistently administered or needlessly burdensome. They can also stifle innovation that might better achieve the objectives of the regulations than the actions that are now required of producers.”

In the intervening 12 years, the regulatory landscape for farmers and, all of Californians, have become more complicated. *A Decade of Change: A Case Study of Regulatory Compliance Costs in the Produce Industry* stated that there was a 1.26% of total production costs per acre of lettuce grown in California in 2006. 10 years later 8.90% of total production costs for that same acre of lettuce. While increases like these have an impact on California agriculture, hardest hit are smaller farmers, including many BIPOC farmers.

According to the author, duplicative reporting requirements are burdensome to farming operations, who must comply with regulations stemming from at least 28 different state and federal laws overseen by numerous regulatory agencies. The Governor’s Office should enhance coordination across state agencies and allow information sharing to reduce redundant reporting requirements.

Supporter's state that this supports the growth of the organic sector by reducing duplicative reporting requirements. In California, organic farmers are required to report to the United States Department of Agriculture (USDA) and the California Department of Food and Agriculture (CDFA). Organic farmers that also process organic food – such as baked goods or frozen foods – may also report to the California Department of Public Health (CDPH). USDA, CDFA, and CDPH have separate reporting processes and often collect redundant information from organic farmers, including basic identifying information, certifier, organic acreage, and crop or product types. These reporting requirements take time and money, impacting farmers' bottom line.

Based on past, recent and current woes in the State of California information technology, fulfilling this legislation may face some technology issues. Many state agencies do not have compatible information systems and when adding local and Federal government systems mix, the issues become more complicated. Having CDFA review duplicative regulatory reporting requirement and make suggestion to the Legislature to will have positive impact on small and medium sized farms.

REGISTERED SUPPORT / OPPOSITION:

Support

Agricultural Institute of Marin	Larocca Vineyards
All STAR Organics	Lucero Organic Farms
Blue Beautifly	Mandela Partners
Cafe Altura	Manzanita Manor Organics
California Alliance With Family Farmers	Oro De Sonora Pure Jojoba Family Farms
California Certified Organic Farmers (CCOF)	Pesticide Action Network North America
California Cotton Ginners and Growers Association	Peterson Family
California Food Producers	Schellenberg Farms
Ceres Community Project	Seffon Farms Organic
Eckert Frozen Foods	Sunblaze Ranch
Health Care Without Harm	Taylor Farms
Kinetic Koffee	Traditional Medicinals
	Western Agricultural Processors Association

Opposition

None on file

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