

Date of Hearing: April 24, 2024

ASSEMBLY COMMITTEE ON AGRICULTURE

Esmeralda Soria, Chair

AB 2324 (Alanis) – As Amended March 21, 2024

SUBJECT: Avocados: sale or donation by the Secretary of Agriculture

SUMMARY: This bill would extend, from 48 hours to 72 hours, the time avocados can be held by the California Department of Food and Agriculture (CDFA) when avocados have been seized from a person who is in unlawful possession of avocados. This bill would also add on-campus food pantry, as specified, to organizations that CDFA can donate seized avocados.

EXISTING LAW:

- 1) Requires every person who is in possession of over 25 pounds of avocados that are produced in the state to possess a record of proof of ownership of the avocados, among other requirements related to avocados. *Food and Agriculture Code (FAC) 45031*
- 2) Authorizes, upon reasonable belief that a person is in unlawful possession of avocados, CDFA or any peace officer to seize the avocados and turn the avocados over to the custody of CDFA, as specified. *FAC 45032*
- 3) Allows CDFA, if for any reason the avocados are not released to the rightful owner after being in the custody of CDFA for 48 hours, to either sell the avocados or donate the avocados to a nonprofit charitable organization, as specified. *FAC 45040*

FISCAL EFFECT: Unknown.

COMMENTS: AB 905(AG Comm.) Chapter 487, Statutes of 2009 changes proof of ownership requirements for commodities generally, and avocados specifically, to 25 pounds down from 200 pounds generally and down from 40 pounds for avocados, permits commissioners to seize or take possession and maintain custody of commodities that are believed to be in violation of this section, and makes conforming changes.

When avocados are seized in this manor, there is first an attempt to find the owners. If unsuccessful, the avocados are held for 48 hours and then either sold or donated. This bill extends this hold time to 72 hours.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

Analysis Prepared by: Victor Francovich / AGRI. / (916) 319-2084