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AGRICULTURE



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ROBERT RIVAS
CHAIR

AGENDA

Thursday, April 29, 2021
10:30 a.m. -- State Capitol, Room 4202

HEARD IN FILE ORDER

- | | | | |
|----|----------|----------------|---|
| 1. | AB 778 | Eduardo Garcia | Institutional purchasers: purchase of California-grown agricultural food products. |
| 2. | AB 1282 | Bloom | Veterinary medicine: blood banks for animals. |
| 3. | AB 519* | Irwin | Honey: labeling requirements. |
| 4. | AB 888 | Levine | Mobile slaughter operations: sheep, goats, and swine. |
| 5. | AB 920* | Aguiar-Curry | Agriculture: cotton pests abatement districts: organization and establishment: authorized counties. |
| 6. | AB 1362* | Carrillo | Secretary of Food and Agriculture: cooperative agreements: agricultural inspector services. |
| 7. | AB 719* | Agriculture | Bees. |

* PROPOSED CONSENT

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE

Robert Rivas, Chair

AB 519 (Irwin) – As Amended March 11, 2021

SUBJECT: Honey: labeling requirements

SUMMARY: This bill would expand the country of original labels (COOL) on imported honey by requiring the COOL to be conspicuous and be of the same size and font as the statement for the United States honey grade.

EXISTING LAW:

- 1) Requires any markings that are used or required to be used on any container of honey to identify the container or describe its contents to be plainly and conspicuously marked, stamped, stenciled, printed, labeled, or branded in letters that are large enough to be readily discernible by any person, as specified.
- 2) Requires a container or subcontainer (container) of extracted honey to be conspicuously marked with one of the United States grades, as specified.
- 3) Requires a container of imported honey to be labeled with the name of the territory or foreign country from which it is imported.
- 4) Makes a violation of honey labeling an infraction.
- 5) Requires the Secretary of Food and Agriculture (CDFA) and the county agricultural commissioners (CAC), as specified, to enforce honey-labeling laws.

FISCAL EFFECT: Unknown

COMMENTS: Federal and California law regulates honey country of origin labeling for foreign honey sold in the state. Current law requires each bottle to indicate where the honey is sourced from and if the honey is imported or a domestic and imported blend. Although federal statute requires country of origin labeling to be in close proximity and of comparable size of the grade statement, there are no other provisions regarding origin labeling.

California produces over 3.2 million pounds of honey every year, but the market for California grown honey is impacted by imported honey. According to the Food and Agriculture Organization of the UN, honey imports to the US have increased by two-thirds over the past 30 years, while the exporting of US honey has remained relatively the same. To safeguard consumer protection and enable Californians to buy locally produced honey with confidence, it is important to standardize COOL regulations.

Furthermore, with the jump in imports, there is an increased chance for honey to be adulterated. In a June 2020 article, Sweetwater Science Labs, an independent testing lab in Missouri, stated that roughly 35-40% of consumer-instigated honey testing it conducted over the past 18 months was either adulterated, of false origin, or of poor quality because it had been overly processed, such as being overheated.

According to the author, ambiguity in current law has created discrepancies in honey origin labeling, resulting in obscure and cryptic labels. Although there are provisions requiring that country of origin is placed on honey containers, they do not specify size, location, or format of such label. This means honey packaging is often misleading as country of origin is frequently stamped on the lid or bottom of the bottle, where the physical shape of the container makes it difficult for the average consumer to understand where the honey is sourced.

Supporters state by allowing manufacturers to place the label anywhere on the container and allowing them to decide how it appears, the consumer must search for the information on every container to be able to compare brands and even types under the same brand name. Consumers should have the right to know where their honey is coming from and what they are ingesting. This bill, by requiring honey producers to origin placed in conspicuous locations, will protect consumers from ambiguous or hidden printing COOLs.

The requirements for honey COOLs were last updated in 1978.

REGISTERED SUPPORT / OPPOSITION:**Support**

California State Beekeepers Association (Sponsor)
Ventura; County of

Opposition

None on file

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

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE
Robert Rivas, Chair
AB 719 Committee on Agriculture – As Amended April 22, 2021

SUBJECT: Bees

SUMMARY: This bill updates and changes portion of the Apiary Protection Act (APA), primarily changing the makeup of the California Department of Food and Agriculture's (CDFA) Apiary Advisory board, revising definitions, and updating provisions. Specifically, *this bill*:

- 1) Clarifies the definition of "pest" and "infected".
- 2) Clarifies the definition of "inspector" to include inspector certification by CDFA.
- 3) Defines "broker" to mean a person who is engaged in pollinating agricultural crops for a fee using hives that are owned by another person.
- 4) Changes the membership of CDFA's Apiary Board (board) from five to eight, six of which will be beekeepers whose primary beekeeping work is queen breeding, pollination or honey production. Includes a representative of the California Agricultural Commissioners and Sealers Association (CACSA) as a non-voting member and a member of the public.
- 5) Allows a board member to be recommended for removal from the board by a majority of the board. The Secretary of CDFA makes the final decision on removal of a board member.
- 6) Requires inspector to try to give 72 hours' notice of an inspection date, if a beekeeper requests to be present, otherwise only 48 hours is required.
- 7) Allows, except for emergencies, for the inspection of beehives if the following conditions are met:
 - a) Beekeeper is given 48 hours' notice or agrees to a date not more than 120 hours after the notice is received, and
 - b) The beekeeper or representative is present during the inspection, and,
 - i) If the beekeeper is given notice and is not present, the inspection can still take place.
 - c) The inspection uses proper sanitation protocol, as specified.
- 8) Defines emergency as a threat to public health or safety, public nuisance, public complaint related to stinging or overly defensive hives, as specified.
- 9) Allows diseased bee colonies to be disposed of at any hazardous waste facility, as specified.
- 10) Makes numerous technical and conforming changes.

EXISTING LAW:

- 1) Creates the Apiary Board within the CDFA with 5 members that are appointed by the Secretary.
- 2) Requires Apiary Board members to be assessment-paying beekeepers that reside in California and represent the major geographical divisions of the beekeeping industry.
- 3) Allows the Secretary to appoint an additional member on the board as a public member.
- 4) Requires a beekeeper to report to the agricultural commissioner of the county in which the beekeeper's apiary is located, on a form approved by the Secretary, each location of apiaries for which notification of pesticide usage is sought.
- 5) Requires the Secretary to adopt regulations necessary to minimize the hazard to bees, while still providing for the reasonable and necessary application of pesticides toxic to bees to blossoming plants.
- 6) Allows the Secretary, or the county agricultural commissioner, or any inspector acting under their direction, to enter, if they determine it to be necessary, any location where an apiary is maintained, and inspect the apiary.

FISCAL EFFECT: Unknown

COMMENTS: California has the largest beekeeping industry of any state in the nation. Nearly three-quarters of the country's documented commercial honeybee crop pollination is conducted in California, adding over six billion dollars to the value of California agricultural products. 400 commercial and semi-commercial California beekeepers operate early 500,000 colonies of bees. The state is also the leader in honey production.

The Apiary Board is an advisory board to CDFA on all matters related to the beekeeping industry. The Apiary Board may make recommendations on all matters affecting the activities of CDFA in relation to the beekeeping industry, including an annual review of CDFA's apiary program.

According to the author, a major portion of apiary code is significantly outdated, with most sections dating back to the 1980s. This brings critically necessary clarity and consistency to the entire code section. It also provides important updates to definitions and important notification requirements based on technology changes in the industry.

Supporters state this bill primarily changes the Apiary Board to reflect changes in the past 30 years to beekeeping in California. The changes in this bill represent changes in technology and best practices, as well as improving on pest and nuisance issues related to beekeeping.

REGISTERED SUPPORT / OPPOSITION:

Support

California State Beekeepers Association (Sponsor)

Opposition

None on file

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

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE
Robert Rivas, Chair
AB 778 Eduardo Garcia – As Amended April 22, 2021

SUBJECT: Institutional purchasers: purchase of California-grown agricultural food products

SUMMARY: This bill requires for all state-owned or state-run institutions that purchase agricultural products to only purchase California grown agricultural products with certain exceptions. Specifically, *this bill*:

- 1) Makes the following legislative findings and declarations.
 - a) State that California is a major producer of fruits nuts and vegetable, including be the sole provider (99 percent of more) of 14 agriculture commodities.
 - b) Farmers in California produce fruits, vegetables, nuts, and meat from animal livestock in accordance with the state’s pesticide, labor, environmental and minimum wage laws and complying with these state laws increases costs but provides real benefits to the health of consumers, to the environment, and to the workers who produce these goods.
 - c) On January 25, 2021, President Joe Biden issued an Executive Order on “Ensuring the Future Is Made in All of America by All of America’s Workers” which state that The United States (US) Government should, whenever possible, procure goods, products, materials, and services from sources that will help American businesses compete in strategic industries and help America’s workers thrive.
 - d) The Buy American Provision requiring the purchase of domestic commodities by participants in the National School Lunch Program has been in place for 30 years. However, the law allows waivers where the domestic product is priced significantly higher than a nondomestic product.
 - e) 81% of the apple juice served in the school lunch program is imported, and 50% to 60% of the fish served in schools is caught and processed outside the US. This competition from nondomestic producers hurts California agriculture and threatens to eliminate the jobs.
 - f) Those who rely on publicly purchased nutrition programs, including school nutrition programs, are often among the most vulnerable children and families and should have access to high-quality, healthy meals, such as those grown, packed, and produced in California.
 - g) Purchasing domestic products reduces the carbon footprint and results in lower greenhouse gas emissions. California companies are subject to more rigorous environmental standards, resulting in enhanced food safety and public safety.
- 2) Requires for all California state-owned or state-run institutions, all segments of public postsecondary education and all local educational agencies (institutions) that solicit bids for

the purchase agricultural food products to only purchase fresh fruit and vegetable agricultural products that are grown in the state.

- 3) Requires for all California state-owned or state-run institutions (institutions), including public universities and colleges and school districts, may purchase agricultural food products to only purchase fresh fruit and vegetable products that are grown in the state or is sold as canned, dried, or frozen products.
- 4) Requires institutions purchases an agricultural food product grown outside of the state to give a preference to agricultural products grown in the country over agricultural products grown outside of the country.
 - a) Establishes two exceptions to the above requirement:
 - i) The commodity is not domestically available.
 - ii) The bid or price of the nondomestic agricultural food product is more than 25 percent lower than the bid or price of the domestic agricultural food product.
- 5) Provides that this section neither limits nor expands California's obligation under the Agreements on Government Procurement of the World Trade Organization.
- 6) Clarifies that this section does not apply to agricultural products provided to an institution by the United States Department of Agriculture through the Foods in Schools program.
- 7) Directs the California State Auditor to investigate for violations of this section.
- 8) Defines, for this section, "agricultural food product" means a fresh or processed product, including fruits, nuts, vegetables, herbs, mushrooms, dairy, shell eggs, honey, grains, livestock meats, poultry meats, and fish, including shellfish.

EXISTING LAW:

- 1) Requires all California state-owned or state-run institutions, except public universities and colleges and school districts, to purchase an agricultural product grown in California when the bid or price of the California-grown agricultural product does not exceed by more than 5% the lowest bid or price for an agricultural product produced outside the state and the quality of the California-grown agricultural product is comparable.
- 2) Requires all California state-owned or state-run institutions, except public universities and colleges and school districts, that intend to purchase agricultural products from outside of the state to purchase products that were packed or processed in California instead of those packed or processed out-of-state as long as the price for the in-state product does not exceed the out-of-state product by more than 5% and the quality is comparable.
- 3) Requires school districts that solicit bids for agricultural products to purchase California-grown products over out-of-state products if the cost of the California products does not exceed the price of the out-of-state product, and if the quality is comparable.

- 4) Establishes that the section only applies to a contract to purchase agricultural products for a value that is less than the value of the threshold for supplies and services for which California has obligated itself under the Agreement on Government Procurement of the World Trade Organization.

FISCAL EFFECT: Unknown

COMMENTS: This bill expands a California grown bid preference established in 2017 by AB 822 (Caballero). AB 822 requires all California institutions, except public universities and colleges and school districts, to purchase agricultural products grown in California with a 5% price differential. California institutions are allowed to buy out of state product if the California products cost more than 5% of the lowest bid.

This bill would require for all California state-owned or state-run institutions, including public universities and colleges and school districts that purchase agricultural products to only purchase agricultural products that are grown in the state. Unless the agricultural product is out of season, not grown in California, or if the domestically grown agricultural produce does not exceed 25 percent the lowest bid or price for an agricultural produce grown outside the country.

According to the Author, “California laws require growers to follow some of the strictest environmental regulations in the country. Therefore, we should be giving our farmers the benefit of the doubt that our state’s agricultural products are the best in the nation by committing to a Buy California program.”

In support of the bill, the Farm Bureau writes, “When incorporating the benefit of ancillary industries that depend on agriculture, like food processing and manufacturing, each dollar invested in California agriculture pays dividends. AB 778 would allow California’s return on investment to be maximized in directing its purchasing power towards California products. In return, growers reinvest this money back into the economy and their local communities. California’s state agencies purchase hundreds of millions of dollars of food per year—for employees, at state hospitals, prisons, veterans’ homes, and state parks. According to the Health in All Policies Taskforce Report, in 2016 the State spent approximately \$314 million a year on food items for use in State agencies or properties, not including food procurement in public schools and childcare facilities. Likewise, the Department of Education disburses billions in federal and state funds to provide meals at local schools and other eligible agencies. These two agencies alone create significant buying power that could be directed towards purchases of California grown food.”

Since 1999, there have been at least 10 bills attempting to give a buying preference for California products, with nine of the bills focused on California Agriculture food products. Only one, AB 822 became law. Most of these bills were held on various committees mostly due to cost to state institutions. Governors Davis, Schwarzenegger, and Brown vetoed four of the bills, all citing cost and potential retaliation by other states and nations. To date AB 822 has not faced a legal challenge. Furthermore, Governor Brown, who had vetoed a previous version of the bill, signed AB 822.

POLICY CONSIDERATIONS:

In order to ensure that all California agriculture food producers are included and that this bill is consistent with USDA Dietary Guidelines, the committee suggests the following technical and conforming amendments:

On page 4, lines 37-40 and Page 5, lines 1-18.

58595. (a) (1) Except as provided in paragraph (2), all California state-owned or state-run institutions, all segments of public postsecondary education, and all local educational agencies that purchase agricultural food products shall only purchase an agricultural food product that is grown or produced in the state.

(2) (A) A California state-owned or state-run institution segment of public postsecondary education, or a local educational agency may purchase an agricultural food product when it is grown or produced outside of the state if the agricultural food product is not currently in season in California and available from an in-state grower or producer, is not grown or produced in the state, or is sold as a canned, dried, frozen, or juice product.

(B) An institution that solicits bids for the purchase of an agricultural food product pursuant to this paragraph shall accept a bid or price for that agricultural food product when it is grown or produced in this country before accepting a bid or price for an agricultural food product that is grown or produced outside the country when the bid or price of the domestically grown agricultural food product does not exceed by more than 25 percent the lowest bid or price for an agricultural food product grown or produced outside the country.

RELATED AND PREVIOUS LEGISLATION:

AB 710 (E. Garcia) of 2021 would prohibit a retailer from selling a listed agricultural product (LAP), produced in the state or outside of the state unless the product was produced in compliance with specified California health and environmental protection laws. Furthermore, prohibits a retailer from selling a LAP produced in the state or outside of the country unless the product was produced in compliance with specified California labor laws. This bill is in Assembly Appropriations Committee.

AB 1025 (R. Rivas) AB 1025 of 2021 would require all California state-owned or state-run institutions, all segments of public postsecondary education, and all local educational agencies that solicit bids for the purchase of an agricultural food product to purchase agricultural food products grown, packed, or processed domestically, with a 25% price variance allowance. This bill is in Assembly Accountability & Administrative Review Committee.

AB 582 (E. Garcia) of 2020 would have prohibited a retailer from selling an agricultural product, to the public unless the agricultural product is grown in the state, with limited exceptions. This bill was held in the Senate Business, Professions and Economic Development Committee.

AB 1248 (E. Garcia) of 2019, would have required all state institutions to purchase California-grown agricultural products, with specified exemption. This bill was held in Senate Governmental Organization Committee.

AB 2106 (E. Garcia) of 2018 would have increased the existing bid preference from 5% to 10% for state purchases, as specified, for California-grown, or California-packed or processed agricultural products over those produced out of state. This bill was held on the Senate Appropriations suspense file.

AB 822 (Aguiar-Curry) Chapter 785, Statutes of 2017, allows for 5% price difference for state purchases, as specified, for California-grown, or California-packed or processed agricultural products over those produced out of state.

SB 730 (Pan) Chapter 571, Statutes of 2017, requires the California Department of Education to take specified actions in order to monitor compliance with the federal Buy American provisions for the National School Lunch program.

AB 199 (Holden) in 2013 provided a 5% preference for state purchases of California-grown agricultural products in the early versions of that bill. However, the final version of the bill removed the 5% preference. It required that state-owned and state-run institutions purchase California-grown products instead of those grown out of state if the price was equal to or less than the out-of-state product, and if the availability and delivery schedule of the agricultural product was acceptable. This bill was vetoed by Governor Brown.

AB 1960 (Ma) of 2010, encouraged the State of California and its agencies to purchase California grown, or grown and processed, fruit, nuts and vegetables if the price is equal to or less than, imported fruits, nuts and vegetables. This bill was held in the Senate Rules Committee.

AB 2994 (Frommer) of 2004, proposed requiring state agencies to give preference to the purchase of lumber and certain solid wood products harvested from forests in California when price, fitness, and quality are equal. This bill was vetoed by Governor Schwarzenegger.

AB 801 (Salinas) of 2001, proposed requiring California state-owned or state-run institutions to purchase agricultural products grown in California before those that are grown outside this state, provided the prices for California grown products do not exceed the lowest price of products grown outside California by more than 5%. It also included California public schools, but only when price and quality were equal to products grown outside California. This bill was vetoed by Governor Davis.

SB 1893 (Perata) of 2000, proposed requiring state agencies and school districts to purchase agricultural products produced in California if the cost and quality are equal or superior to those produced outside California. This bill was held on the Senate Appropriations suspense file.

AB 214 (Wiggins) of 1999, proposed establishing preferences for the purchase of U.S. and California manufactured materials, with respect to public works contracts entered into by public entities. The bill was vetoed by Governor Davis.

REGISTERED SUPPORT / OPPOSITION:

Support

Beaumont Chamber of Commerce
Big Bear Chamber of Commerce
Bizfed Central Valley
California Apple Commission
California Blueberry Commission
California Cattlemen's Association
California Citrus Mutual
California Date Commission
California Farm Bureau Federation
California Farmworker Foundation
California Fresh Fruit Association
Chino Valley Chamber of Commerce
Coachella Valley Water District
Corona Chamber of Commerce
Desert Fresh INC
Fontana Chamber of Commerce
Greater Coachella Valley Chamber of
Commerce
Greater High Desert Chamber of Commerce
Greater Ontario Business Council

Growing Coachella Valley
Hemet San Jacinto Valley Chamber of
Commerce
Highland Area Chamber of Commerce
Inland Empire Economic Partnership (IEEP)
Menifee Valley Chamber of Commerce
Monterey County Farm Bureau
Moreno Valley Chamber of Commerce
Munger Farms
Murrieta Wildomar Chamber of Commerce
Olive Growers Council of California
Perris Valley Chamber of Commerce
Pomona Chamber of Commerce
Rancho Cucamonga Chamber of Commerce
Redlands Chamber of Commerce
Temecula Valley Chamber of Commerce
Twenty-nine Palms Band of Mission Indians
Upland Chamber of Commerce
Western United Dairymen

Support If Amended

Agricultural Council of California

Opposition

None on file

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

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE

Robert Rivas, Chair

AB 888 (Levine) – As Amended April 22, 2021

SUBJECT: Mobile slaughter operations: sheep and goats

SUMMARY: Provides an exemption to animal slaughter inspections for a Mobile Slaughter Operator (MSO) who provides services to an owner of sheep, goats and swine, where the slaughter occurs on the premises of the person who raised the sheep, goats, and swine. Specifically, *this bill*:

- 1) Allows MSOs to provides service to the owner of sheep, goats, and swine if the slaughter take place on the premise of the person who raised the sheep, goats, and swine and is not the current owner of the sheep, goats, and swine, if the following condition are meet:
 - a) Requires, if the person who raised the sheep, goats and swine is registered with CDFA’s Bureau of Sheep, Goats, and Swine. Identification that shows the names and addresses of the owners of the unlicensed mobile slaughterer and any other information the secretary may require.
 - b) The meat is not for sale, but used exclusively by the owner for personal use, as specified.
 - c) Requires, if conducting multiple slaughter operations at a premises, a MSO must maintain, for a period of one year, a record of the total number of sheep and goats slaughtered, the tag identification number ID tag animals slaughtered, and the premises identification number where the slaughter occurred, as specified.
 - d) Requires a MSO to follow the guidelines published by the Association of Food and Drug Officials in the Guidelines for Exempt Slaughter and Processing Operations publication.
- 2) Prohibits the sheep, goats and swine MSO exemption to no more than 35 head of sheep, goats and swine, combined at single location per calendar month.
- 3) Requires MSO operation in this section to comply with all other applicable state and Federal environmental and zoning laws.
- 4) Defines “Person who raised the sheep or goats” to means the person who owned and was responsible for feeding and caring for the sheep, goats, and swine before their sale and slaughter on the person’s premises.
- 5) Defines “Raised,” to mean fed and care of the sheep, goats, and swine for a period of 30 calendar days or more before the sale and slaughter of the sheep, goats, and swine.
- 6) Requires a MSO performing the service of slaughtering sheep, goats, and swine to register with CDFA as an unlicensed mobile slaughterer, as specified.

- 7) Requires the registration fee not exceed the regulatory costs of CDFA and not be more than one hundred dollars (\$100) per year.
- 8) Requires MOS to register with Bureau of Livestock Identification before MSO's began sheep, goats, and swine slaughter operations.
- 9) Allows the Secretary of CDFA to cancel the registration of a MSO for failure to comply with record keeping, as specified.
- 10) Requires a registered MSO to maintain records of every sheep, goats, and swine slaughters for two years, as specified and allow the records to be reviewed by authorized persons.
- 11) Requires every custom-exempt processor that processes sheep, goats, and swine keep specified records for two years.
- 12) Requires every producer that produced sheep, goats, and swine that are slaughtered by a MSO to maintain records of every sheep, goats, and swine slaughters for two years, as specified and allow the records to be reviewed by authorized persons.
- 13) Defines "custom-exempt processor" to mean a person or entity that, for sheep, goats, or swine belonging to someone else and slaughtered by a mobile slaughter operator, processes the carcasses and parts, for the exclusive use, in the household of that owner, by the owner, members of the owner's household, nonpaying guests, or employees.
- 14) Defines "producer" to mean a person what raised or sold the sheep, goats, or swine specified in this section.
- 15) Makes technical and conforming changes.

EXISTING LAW:

- 1) Provides an exemption to animal slaughter inspections for MSO who provides services to an owner of cattle, where the slaughter occurs on the premises of the person who raised the cattle.
- 2) Requires each person to be licensed before operating a meat processing establishment or a custom sheep, goats, and swine slaughterhouse and provides for the inspection of those establishments.
- 3) Exempts from licensing and inspection requirements certain persons and activities, including owners of sheep, goats, and swine who slaughter, on their own premises, sheep, goats, and swine of their own raising, as specified, and a mobile slaughter operator who provides services to that owner, where the slaughter occurs on the owner's premises and the meat is then transported for the owner to an establishment for further processing.

FISCAL EFFECT: Unknown

COMMENTS: Current law allows an MSO to harvest sheep, goats, or swine for an individual that also owns the property where the cattle are harvested so long as the meat is consumed solely by the owner, their family or invited guests and is not resold. Individuals seeking to purchase an animal for their own use and consumption but do not have an appropriate location to harvest the animal must currently transport the animal for slaughter to a state or federally licensed facility. This can be time consuming and a licensed facility is typically far in distance from a consumer's or producer's premises. The need to transport an animal that will be entirely consumed by the purchaser to a licensed facility to be harvested is just one additional hurdle for individuals who wish to consume locally raised meat.

AB 2114 of 2018 created the exemption for MOS pertained only to beef cattle and did not extend the same flexibility to other agricultural animals slaughtered for human consumption, including goats and sheep. While consumer meat preferences continue to change, this bill seeks to provide greater flexibility for California's sheep and goat ranchers who provide fresh, locally grown and raised products to those Californians preferring a different animal meat product.

According to the author, this bill is not a vehicle for replacing any of California's brick-and-mortar slaughter operations. COVID-19 has exposed systemic weaknesses in both California's and the nation's food supply chain. COVID-19's rate of infection and potential spread, especially in high-density industries and communities, requires new approaches. This bill is providing another, albeit limited, link in the food supply chain for individuals desiring meat from sheep and/or goats. This bill does not allow for the sale of the meat by any individual and the meat must be used exclusively for the consumption by the individual who purchased the animal for slaughter, members of the owner's family, the owner's employees or nonpaying guests.

Supporters state, this bill is a limited exception that provides greater food security, greater availability of protein and can be used in limited circumstances to avoid the potential food disruptions that may occur during the COVID-19 crisis. In order to meet the new realities being realized during this pandemic, California must innovate and do so in real-time to promote economic recovery and a strong food supply chain. This bill is a component of that needed innovation. Furthermore, this bill will help address meat-processing bottlenecks by providing more options to safely harvest limited numbers of goats, sheep, and swine on the ranch where they are raised. This builds on existing law that allows on farm slaughter for small-scale cattle producers by providing the same allowances for goats, sheep, and swine. By allowing for diversification in ranch revenue streams, this bill ensures that small ranchers can stay on the land, bringing down fuel loads and feeding families.

REGISTERED SUPPORT / OPPOSITION:**Support**

Apricot Lane Farms
Barinaga Ranch

Bay Area Ranchers' Cooperative, INC
California Certified Organic Farmers
California Farm Bureau Federation
California State Grange
Community Alliance with Family Farmers (CAFF)
Lost Coast Ranch
Natural Resources Defense Council (NRDC)
Paicines Ranch
Roots of Change
Spring Coyote Ranch
18 individuals

Opposition

None on file

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

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE
Robert Rivas, Chair
AB 920 (Agiar-Curry) – As Introduced February 17, 2021

SUBJECT: Agriculture: cotton pests abatement districts: organization and establishment: authorized counties

SUMMARY: This bill deletes the authority to establish Cotton Pests Abatement Districts in the Counties of Orange, San Diego, and Ventura.

EXISTING LAW: Provides procedures for the formation of pest abatement districts for the purpose of pest control or abatement. The Cotton Pests Abatement District Act authorizes the organization and establishment of cotton pests abatement districts by the boards of supervisors of the Counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura.

FISCAL EFFECT: Unknown

COMMENTS: Cotton pests abatement districts were first established in 1982 to help fight the pink bollworm. The pink bollworm is a type of moth, and is one of the most destructive cotton plant pests. The first reported cotton infestation in the United States (U.S.) by the pink bollworm occurred in 1917. By 1963, the pink bollworm had spread throughout the southwestern U.S. and Southern California.

Currently, the board of supervisors in seven Southern California counties can authorize the creation and organization of cotton pests abatement districts to protect the integrity of the cotton grown in California. However, this authority is outdated in three counties that no longer cultivate cotton as a crop. Orange, San Diego, and Ventura Counties are no longer operating, or in need of, the authority to establish a cotton pests abatement district because of this change in their local agriculture.

To protect agricultural production, state and local governments help coordinate and operate pest control activities. Pest abatement districts are local government organizations that prevent, mitigate, and control agricultural pests, while also seeking to reduce the use of chemical pesticides. “Pests” can include plants, animals, insects, or other threats that are harmful to the agricultural industry in the State.

According to the author, after 50 years of effort and integrated pest management work, the pink bollworm was declared eradicated from California in 2018. Because of this, it is appropriate to clean up existing law granting authority to create cotton pests abatement districts to reflect where the pink bollworm or other cotton plant pests may actually be found in California. Since cotton has not been grown for many years in Orange, San Diego, or Ventura Counties, this bill is necessary to reflect the progress made on the pink bollworm and the realistic need for cotton pests abatement districts in California law.

According to supporters, this bill removes the authority to establish Cotton Pests Abatement Districts from Orange, San Diego, and Ventura Counties, because in these three counties the authority is outdated and no longer needed.

REGISTERED SUPPORT / OPPOSITION:

Support

California Cotton Ginners and Growers Association

Opposition

None on file

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

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE

Robert Rivas, Chair

AB 1282 Bloom – As Amended April 15, 2021

SUBJECT: Veterinary medicine: blood banks for animals

SUMMARY: Allows veterinarians to operate community blood banks for animals, which source blood from animals volunteered by their owners. Establishes conditions for the elimination of captive closed-colony canine blood banks, which source blood from dogs kept, housed, or maintained at a facility for collecting their blood. Allows the importation of animal blood from out-of-state blood banks that comply with California standards. Provides implementation requirements on the Veterinary Medical Board (VMB) and the California Department of Food and Agriculture (CDFA), as specified. Specifically, *this bill*:

- 1) Adds to the practice of veterinary practice the act of collecting blood from an animal for the purpose of transferring or selling that blood and blood component products to a licensed veterinarian at a registered premise.
- 2) Provides for the following definitions:
 - a) Community blood bank means a commercial blood bank for animals that produces animal blood or blood component products solely from community-sourced animals whose owners voluntarily consent to the donation.
 - b) Community sourced means that an animal is:
 - i) Kept, housed, and maintained at the residence of its owner who is a person and not a partnership, association, corporation, or limited liability company;
 - ii) Brought by its owner to a community blood bank for animals to have its blood collected; and,
 - iii) Licensed in accordance with any pet licensing required by the pet owner's state, county, or city of residence.
 - c) Captive closed colony means that an animal is kept, housed, or maintained in any way for collecting its blood.
 - d) Closed-colony blood bank means a commercial blood bank for animals that produces animal blood or blood component products solely from animals held in a captive closed colony.
 - e) Commercial blood bank for animals means an establishment that produces animal blood or blood component products from captive closed-colony or community-sourced animals to market and sell for use in the cure, mitigation, treatment, or prevention of injury or disease in animals.
 - f) Production means the collection of blood or the preparation, testing, processing, storage, or distribution of blood or blood component products for purpose of transfusion.

- g) Adverse event means an event in which an animal is injured, sickened, rendered unconscious, or killed.
 - h) Disposition means adoption, euthanasia, transfer to another blood bank, breeding facility, farm, animal control agency, animal shelter, or rescue organization, or donation or sale for medical research or other purpose.
- 3) Allows a registered veterinary technician or a veterinary assistant to collect blood from an animal for the purpose of transferring or selling the blood and blood component products to a licensed veterinarian at a registered premise, under the direct or indirect supervision of a licensed veterinarian, as specified.
- 4) Allows a California licensed veterinarian to engage in the production of animal blood and blood component products solely for use in their own practice or for a community blood bank under the following conditions:
- a) Operate under conditions, and use methods of production, that are consistent with current standards of care and practice for the field of veterinary transfusion medicine to ensure that the animal blood and blood component products will not be contaminated, dangerous, or harmful.
 - b) Ensure that the production of blood and blood component products is safe and not injurious to the donor animal's health.
 - c) Follow the latest blood banking standards and maintain responsibility over all veterinary and technical policies and procedures that relate to the safety of staff members and donor animals.
 - d) Use bloodborne pathogen testing for all canine and feline blood donors in accordance with the best clinical practices in the veterinary field.
 - e) Ensure that the production of animal blood and blood component products complies with all applicable federal laws and regulations.
 - f) Maintain onsite records available for inspection by VBM including information documenting any history of blood draws or use of anesthesia on the animal, the number and date of donations collected, the volume of blood collected per donation in milliliters, any adverse events, and any complaints from owners regarding animals who donate blood or blood component products.
 - g) Obtain the informed written consent of the owner of the animal blood donor and keep a record of that consent.
- 5) Allows a community blood bank to engage in the production of animal blood and blood component products for retail sale and distribution.
- 6) Prohibits a veterinarian or a community blood bank from providing payment to a person who provides an animal for donating that animal's blood and blood component products for use in their practice or for retail sale and distribution. Clarifies that "payment" does not include fees

for veterinary tests, medications, vaccinations, screenings, or other services that benefit the health of the animal from which the blood or blood component products were taken.

- 7) Allows the VMB to establish a community blood bank registration and renewal fee and appropriate to be paid by community blood banks to cover costs associated with oversight and inspection of the premises, as long as the fee does not exceed the reasonable regulatory costs of administering, implementing, and enforcing the bill's provisions.
- 8) Directs the VMB, upon appropriation by the Legislature, to hire a consultant to assist in developing guidelines and best practices for veterinarians to follow when operating community blood banks.
- 9) Mandates that the VMB adopts and publishes guidelines and best practices for the operation of community blood banks by January 1, 2023. States that such guidelines must be updated as appropriate.
- 10) Requires community blood banks to comply with the following:
 - a) Adhere to all blood product registration requirements established under CDFA.
 - b) Submit a quarterly report to CDFA every three months that includes all of the following information:
 - i) The number of donations from community-sourced animals and total volume in milliliters of whole blood, packed red blood cells, and fresh frozen plasma sold during that quarter, by species of animal;
 - ii) The number and species of animal donors experiencing adverse events, the total number of adverse events, and the nature of adverse events experienced by animals that donate blood;
 - iii) The number and species of animal donors that have donated blood; and,
 - iv) The number and species of animal donors whose blood tested positive for known pathogens, in accordance with the best clinical practices in the veterinary field.
- 11) Requires VMB to take the appropriate disciplinary action against a veterinary licensee who violates community blood banking provisions.
- 12) Adds new requirements on captive closed-colony commercial blood banks for animals. Specifically, requires such blood banks to:
 - a) Operate under conditions and methods of productions that are consistent with current standards of care and practice for the field of veterinary transfusion medicine.
 - b) Requires that all animal donors are kept, housed, and maintained within California state boundaries.
 - c) Add procedures regarding bloodborne pathogen testing for all canine and feline blood donors in accordance with the best clinical practices in the veterinary field.

- 13) Establishes data collection and record-keeping requirements on closed-colony blood banks, including the requirement to maintain onsite record of the number of donations collected from captive animals, the volume of blood collected per donation in milliliters, any adverse events, the disposition of any animals, and other information. Requires a closed-colony blood bank to submit a quarterly report to CDFA, which must be retroactive for 2018, 2019, and 2020, that includes the following information:
 - a) The number of donations from captive animals and total volume in milliliters of whole blood, packed red blood cells, and fresh frozen plasma sold during that quarter, by species of animal.
 - b) The number of captive animals kept, housed, or maintained at the closed-colony blood bank, by species of animal.
 - c) The disposition records of any animals and the total number of animals released for adoption.
 - d) The number and species of animals experiencing adverse events, the total number of adverse events, and the nature of adverse events experienced by captive animals that donate blood.
 - e) The number and species of animal donors whose blood tested positive for known pathogens, in accordance with the best clinical practices in the veterinary field.
- 14) Requires all blood banks, for bloodborne pathogen testing, to use best clinical practices in the veterinary field, including but not limited to any standards and guidelines issued by the American Association of Blood Banks, the Association of Veterinary Hematology and Transfusion Medicine and the most recent Consensus Statement on blood donor infectious disease screening by the American College of Veterinary Internal Medicine.
 - a) Requires veterinarians operating community blood banks to also follow guidelines regarding community blood banks published by the VMB, conditional on their publication.
- 15) Directs CDFA to annually submit and publish a copy of the canine blood collection information to specified legislative committees and VMB.
- 16) Increases the licensing and renewal fees for a closed-colony blood bank under CDFA from \$250 to \$1,000.
- 17) Adds the following information to be included as part of the application for registration of blood or a blood component product under CDFA:
 - a) The name and address of the person who owns the property, establishment, institution, or business that sells the blood.
 - b) The name and address of the person who oversees the production of animal blood and blood component products.
 - c) The type of animal blood and blood component products produced for sale.

- d) A full description of the building, including its address, facilities, equipment, and apparatus, to be used in production of animal blood and blood component products.
- 18) Allows CDFA to establish a registration application fee and annual renewal fee for each establishment proposing to offer blood or blood component products for retail sale or use in California, at an amount yet to be determined.
- 19) Mandates CDFA to discontinue its licensing program for commercial blood banks for animals within 12 months of CDFA determining that community blood banks sold an annual amount of canine blood in California that equals or exceeds the average annual amount closed-colony blood banks sold in the state in 2018, 2019, and 2020, or in four consecutive quarters.
- a) Clarifies that for the purpose of this calculation, canine blood means three categories:
 - i) Whole blood.
 - ii) Packed red blood cells.
 - iii) Fresh frozen plasma.
- 20) Requires CDFA to track, administer, and enforce the importation of animal blood and blood component products from out-of-state blood banks to ensure the products are in compliance with California standards.
- 21) Applies the California Public Records Act (CPRA) to all records held under CDFA, with specified exemptions, related to blood banking, including but not limited to, records relating to applications, fees, or inspections, except for identifying personal information.

EXISTING LAW:

- 1) Provides for the licensure and regulation of veterinary medicine by VBM in the Department of Consumer Affairs.
- 2) Authorizes VBM to deny, revoke, or suspend a license or registration or assess a fine for a violation of specified acts, including the employment of anyone but a veterinarian licensed in this state to demonstrate the use of biologics in the treatment of animals.
- 3) Prohibits any person from collecting blood from animals or preparing, testing, processing, storing, or distributing blood or blood component products, as defined, from animals, for retail sale and distribution except in a commercial blood bank for animals that is licensed by the Secretary of CDFA (Secretary), except as provided.
- 4) Defines commercial blood bank for animals to mean an establishment that produces animal blood or blood component products to market and sell for use in the cure, mitigation, treatment, or prevention of injury or disease in animals.
- 5) Requires the Secretary to license establishments as commercial blood banks for animals that meet all of the following:

- a) Operate under conditions, and use methods of production, to ensure that the animal blood and blood component products will not be contaminated, dangerous, or harmful;
 - b) Produce animal blood and blood component products under the direct supervision of a person qualified in the field; and,
 - c) Maintain onsite records containing information documenting how the animal was acquired and any history of blood draws or use of anesthesia on the animal, except as provided.
- 6) Requires an application for a license to contain specified information, including a written protocol that addresses all of the following:
- a) Maximum length of time for donation by animal donors, or minimum health parameters for animal donors;
 - b) Frequency and volume of blood collected from animal blood donors;
 - c) Socialization and exercise programs for animal blood donors;
 - d) Method of identification of each animal, including microchip or tattoo;
 - e) Ongoing veterinary care, including an annual physical exam and vaccination schedule for animals held in blood donor facilities;
 - f) Husbandry standards for feeding, watering, sanitation, housing, handling, and care in transit, with minimums based on the standards set forth pursuant to the federal Animal Welfare Act; and,
 - g) Implementation of a permissive adoption program.
- 7) Governs the disclosure of information collected and maintained by public agencies pursuant to CPRA.
- 8) Provides that public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record, except as provided.
- 9) Generally, all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure.
- 10) Provides that all records held by CDFA relating to commercial blood banks for animals including, but not limited to, records relating to applications, fees, or inspections, are confidential and are not subject to disclosure under CPRA, except those records are accessible to law enforcement officers with jurisdiction, as provided.

FISCAL EFFECT: Unknown

COMMENTS: In California, two commercial blood banks for animals produce blood products under California licenses. Commercial blood banks for animals are establishments that produce animal blood products to market or sell for the use in the cure, mitigation, treatment or prevention of injury or disease in animals. California law prohibits the offering for sale or use of any animal blood product unless it is produced in an establishment licensed by CDFA. California requires a license for each commercial blood bank for animal establishments and requires the registration of each blood product being produced and sold. Application and licensing requirements must be met to qualify for licensure.

California requires all dog blood sold for veterinary purposes to come from a closed colony facility. A closed colony facility is a facility in which dogs live for a set amount of time solely for the purpose of donating blood. California veterinarians also may obtain blood for transfusions from other, healthy dogs being treated in their veterinary offices or from the dogs of their employees. Legislation in 2018 clarified that licensed private veterinarians who collect blood products solely for use in their own practice is exempt from having to obtain an animal blood bank license.

Under current law, California veterinarians must purchase blood from a closed colony commercial blood bank in the state, or they can collect dog blood for use in their own practice. CDFA is responsible for all oversight of the closed colony commercial facilities in California, which is the only state with this type of regulated commercial blood banks. Other states handle canine blood for transfusions at local hospitals and clinics, which operate under federal regulations and veterinary medicine guidelines. Most out of state animal blood banks are Community Blood Donor Programs (CBDP). The community blood bank system in other states allows for the sale of blood products.

Critics of closed-colony blood banks point to more humane models of supplying animal blood and blood products, including the use of the community-sourced blood banks. Similar to traditional human blood donations, this model relies on volunteer pet owners, who bring in their animals to be donors for the blood bank. There are several advantages to this model: first, the ethical assurance that the animals are not routinely exploited for their blood, as community-sourced blood banks rely entirely on volunteers pet owners.

The University of California at Davis (UCD) does operate a Canine CDBP. The UCD Veterinary Blood Bank began screening donor dogs in February 2008 for enrollment into a community-based donation program. The hospital's blood bank collects, processes and stores canine blood needed for transfusions to treat a variety of conditions in dogs. UCD is not allowed to sell any canine blood products to other entities.

Currently, CDFA provides oversight of California Licensed Blood Banks for Animals. At a minimum of once per year, CDFA inspects every facility maintained by a Commercial Blood Bank for Animals that is licensed by the state. The expectations are laid out in statute, which also incorporate Federal Code of Regulations related to the Federal Animal Welfare Act. CDFA sends two people on these inspections, and one is always a veterinarian. Any issues are noted and re-checked for compliance.

According to the author, "This vital legislation would modernize California law to provide a safe, ethically-sourced animal blood supply for use in veterinary practice, addressing both blood supply shortage as well as animal welfare concerns. Currently, there are only two commercial

blood banks for animals in California, both of which confine donor animals in closed-colonies to accord with the state's existing regulatory framework. Not only do they keep hundreds of dogs in cages for years while their blood is routinely harvested, but the demand for animal blood to perform transfusions and respond to medical emergencies outstrips their supply. This bill would authorize community blood banks for animals similar to human models, allowing blood collection from pets whose owners voluntarily consent to the donation. It would phase out captive, closed-colony canine blood banks over time and permit the safe importation of animal blood from out-of-state community banks in compliance with California standards to further ensure an adequate blood supply for veterinary needs.”

Supporters state, “Animal blood banks provide veterinarians with blood products needed for transfusions to save the lives of pets that have been injured or have various health issues. Current law limits the supply of these lifesaving products by preventing blood collection from community-based banks, which operate very similar to human blood banks by bringing in dogs from the community to donate blood and then return home with their human families. A study published in the *Journal of Applied Animal Welfare Science* concluded, 'community-based canine volunteer donor programs for animal blood banks can be successful while maintaining high safety standards and ethical treatment of volunteers.' Additional safety measures are required in the bill with new requirements for blood-borne pathogen testing for all animal donors. Simultaneously, AB 1282 will initiate a phase out of the 'closed-colony' commercial blood bank model, which operate by keeping dogs in cages for most or all of their life to be bled. These dogs, usually greyhounds, are deprived of a normal life with their human companions and deserve better. Once the phase out is complete, AB 1282 will require all blood banks to be maintained by a licensed veterinarian, ensuring a completely safe and regulated environment for all community animal donors. AB 1282 also ends the public record exemption for commercial blood banks by making them subject to the California Public Records Act for more transparency into the business of how animal blood products are produced.”

Opponents state, “The ongoing pandemic has exacerbated the logistics of the veterinary care and treatment process. It is unlikely that community donors will voluntarily provide their pets for donations; nor will veterinarians be in a position to handle or want to handle the issues associated with being an approved community donor facility. This will likely continue for a longtime, irrespective of any opening up of the economy. Until there is better clarity as to how veterinary services are going to be adequately provided in our state, it is premature to mandate a new regime (and closure of an ongoing regime).”

The California Veterinary Medical Association (CVMA) expressed concerns related to shifting California to a new animal blood collection model. The concerns focus on maintaining a sufficient supply of animal blood and ensuring the quality of animal blood product remains safe for veterinary use. CVMA focused on two issues:

- 1) Under this bill, CDFA will make the determination of the “trigger” threshold to wind-down closed colony blood banks. To ensure the assessment is properly carried out, CVMA believes CDFA is in need of experts, potentially contracted positions, to collect and review the data. This would require an appropriation of some sort.
- 2) To ensure the animal blood supply is safe, there is a need to develop protocols and guidance for veterinarians to follow when engaging in donor blood banking. Recent

amendments would grant the Veterinary Medical Board a position to develop the needed protocols, but there is still a funding issue to be resolved.

POLICY CONSIDERATIONS:

Suggested Technical Amendment: This bill, when discussing units of blood measurements, uses volume and milliliter. In discussion with several organization who draw blood, it was stated the standard measurement is milliliter and weight. In order to ensure there are not discrepancies in the language, the author may wish to adjust this wording, as this bill moves forward.

Wind-Down of the Closed Colony System: This bill requires the eventual elimination of closed colony canine blood banks, once CDFA makes a determination that community blood banks are producing enough canine blood to replace the current supply. This bill currently sets this definition and sets the “trigger” for phasing out closed colony blood banks. The threshold is when community blood banks annual sales of canine blood in California equals or exceeds the average annual amount of canine blood that closed-colony blood banks sold in the state in 2018, 2019, and 2020, or in four consecutive quarters. Once CDFA determines either of these conditions are met, the closed colony blood banks will have a year to wind down.

With concern about how this will affect California’s animal blood supply or the ramp up time for community animal blood banks, the committee may want to discuss if the current definition is adequate to ensure a steady supply of canine blood.

Safe Animal Blood Products Protocols: This bill requires, in relation to bloodborne pathogens testing, states that protocols “Utilize bloodborne pathogen testing for all canine and feline blood donors in accordance with the best clinical practices in the veterinary field, including, but not limited to, any standards and guidelines issued by the Association of Veterinary Hematology and Transfusion Medicine (AVHTM) and the most recent Consensus Statement on blood donor infectious disease screening by the American College of Veterinary Internal Medicine (ACVIM).” While ACVIM periodically published a consensus statement, the most recent in 2016, AVHTM does not have any published protocols or guidelines.

AVHTM, in its newsletter, shares a fair number of peer-reviewed articles on the issues related to animal blood banks. In an undated statement on AVHTM website it does state “*The AVHTM fully supports and promotes the American Veterinary Medical Association (AVMA) Animal Welfare Principles and the American College of Veterinary Internal Medicine (ACVIM) consensus statement for blood donor screening for blood-borne pathogens. While we are not a regulatory agency, and while no current guidelines exist specifically related to the housing and treatment of animal blood donors, the AVTHM, in collaboration with the veterinary professional community, is invested in the long-term goal of developing veterinary blood banking standards and guidelines.*”

The committee may wish to consider if AVHTM should be listed as one of the required sources for California Animal Blood Bank Protocols or if including AVHTM’s future guidelines should be made permissive when developing California protocols.

RELATED LEGISLATION:

SB 202 (Wilk) of 2019: Would have modified the definition of a commercial blood bank for animals to include establishments that collect blood not only from captive closed-colony animals

but also community-sourced animals. Vetoed by the Governor. In his veto message, Governor Newsom writes:

“This bill permits commercial blood banks for animals to collect blood from community-sourced animal blood and imposes rules around the collection of community-sourced animal blood. I am supportive of changing California's law governing animal blood donation. However, this bill does not go far enough. I ask that the Legislature send me legislation that effectively leads to the phasing-out of "closed colonies," where dogs are kept in cages for months and years to harvest their blood for sale. The legislation should provide for the safe and humane treatment of donor animals, the welfare of the recipients and adequate oversight and enforcement of this program.”

AB 366 (Bloom) of 2019: Would have prohibited a person from engaging in the production of canine blood and blood component products or biologics for retail sale and distribution unless that person is licensed as a canine blood bank by CDFA, among other specified requirements, Held in the Assembly Committee on Agriculture at the request of author.

SB 1115 (Wilk) of 2020 would have modified the definition of a commercial blood bank for animals to limit the definition to establishments that collect blood from community-sourced animals. Would have excluded from the definition of a commercial blood bank for animals establishments that collect blood from captive closed-colony animals. The bill would have implemented a wind-down of closed colony blood banks. Held in the Assembly.

AB 1953 (Bloom) of 2020 would have allowed veterinarians to establish community blood banks and set up a mechanism to wind-down closed colony blood banks in California. Held in the Assembly.

REGISTERED SUPPORT / OPPOSITION:

Support

American Society for the Prevention of
Cruelty to Animals
Animal Legal Defense Fund
Beagle Freedom Project
Best Friends Animal Society
California Animal Welfare Association
Cruelty Free International
Direct Action Everywhere
Gayle Paul
Grey2kusa
In Defense of Animals
JaneunChained
Los Angeles Democrats for The Protection
of Animals
Lovebug's Rescue
Michelson Center for Public Policy

People for The Ethical Treatment of
Animals (PETA)
Poison Free Malibu
Project CounterGlow
Project Minnie
Riverside Animal Rights Voters
San Diego Humane Society and SPCA
San Francisco SPCA
Seeds to Inspire Foundation
Social Compassion in Legislation
St. John Creative
Start Rescue
Valley Humane Society
Vegan of La
Women United for Animal Welfare
(WUFAW)

394 Individuals

Oppose Unless Amended

Hemopet

Other

California Veterinary Medical Association

Opposition

None on file

Other

California Veterinary Medical Association

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

Date of Hearing: April 29, 2021

ASSEMBLY COMMITTEE ON AGRICULTURE
Robert Rivas, Chair
AB 1362 (Carrillo) – As Introduced February 19, 2021

SUBJECT: Secretary of Food and Agriculture: cooperative agreements: agricultural inspector services

SUMMARY: This bill deletes a provision that prevents the Secretary (Secretary) of California Department of Food and Agriculture (CDFA) from entering into cooperative agreement, if less than 75% of the agricultural inspector associates in Los Angeles County (LA) are not afforded protections as permanent employees employed, as specified. Specifically, *this bill*:

EXISTING LAW:

- 1) Authorizes the Secretary to enter into cooperative agreements to carry out and enforce programs that promote and enhance agriculture, combat invasive pests and diseases, inspect poultry and meat, or other activities to administer and enforce these provisions. Specifically, the Secretary enters into cooperative agreements with county agricultural commissioners (CAC) to administer and enforce programs and inspections on the local level.
- 2) Prohibits the Secretary from entering into a cooperative agreement with a county of the first class for agricultural inspector services, if the agreement requires that the county provide year-round services, unless not less than 66% of the agricultural inspector aids and not less than 75% of the agricultural inspector associates not afforded protections as permanent employees employed under the cooperative agreement are afforded protections as permanent employees under the county's civil service or other personnel system.
- 3) Defines "counties of the first class" to be counties whose populations exceed four million residents.

FISCAL EFFECT: Unknown.

COMMENTS: Current law authorizes CDFA to enter into cooperative agreements with counties to carry out and enforce programs that, among other things, combat invasive pests and diseases. CDFA specifically contracts with CACs to administer and enforce local programs and inspections.

CDFA's Plant Health and Pest Prevention Services Division is responsible for the prevention and control of plant pests, working cooperatively with CACs to accomplish these goals. Depending on the specific requirements for pest monitoring, trapping, and inspections, work is typically performed by the local CAC's staff, which includes aids, associates, and inspectors.

In 2003-04, legislation was enacted which prohibited CDFA from entering into cooperative agreements for agricultural inspections with the County unless a minimum of 66% of all agricultural inspector aids were granted permanent civil service status as a county employee. Prior to that legislation, these employees were hired on a temporary basis to work on year-long contracts with CDFA. The legislation increased labor costs for the County, and state funds were provided to aid this transition and reduce fiscal impact to the County.

AB 1175 (Bocanegra), Chapter 588, Statutes of 2014 added in the “not less than 75% of the agricultural inspector associates” clause in order to ensure that agricultural inspector aids would not lose their permanent status when attempting to receive a promotion by going through a year-long, temporary associate position.

According to the author, provides flexibility between the classifications of Associate Inspector and Journey-Level Agricultural Inspectors. As the law currently stands, associate inspectors assigned to the Agricultural Bureaus cannot do certain tasks unless they are under the cooperative labor agreement. This current regulation is burdensome to workers because the amount of work available for associate agricultural inspectors can vary throughout the year, so workers may see a sudden reduction in their workload when they could instead be tasked with doing other needed work.

Supporters state the agricultural inspector associate is, by design and definition, a 12-month, non-permanent, entry-level class serving as a prerequisite to qualifying for consideration to the permanent Agricultural/Weights and Measures (AWM) Inspector series. In 2014, LA County opposed AB 1175 on the basis that statutorily requiring 75 percent of Associates to be granted permanent status would, effectively, eliminate that entry-level class. To ensure the retention of over \$10 million in CDFA cooperative agreement annual revenues to support AWM Inspector jobs and fulfill critical functions, LA county was forced to preclude Associate incumbents from participating in any duties under those many cooperative agreements. This bill would enable the County to exercise flexibility in staffing its programs supported by CDFA cooperative agreements, and would afford Associates the opportunities to gain hands-on experience to pursue statutorily-required state-issued licenses predicated by the passing of examinations to test their respective knowledge of program-related subject matters.

REGISTERED SUPPORT / OPPOSITION:

Support

AFSCME, AFL-CIO (Sponsor)
County of Los Angeles Board of Supervisors

Opposition

None of file

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