

Assembly Bill No. 2958

CHAPTER 285

An act to amend Sections 14992, 15053, 15054, and 15055 of the Food and Agricultural Code, relating to food and agricultural programs.

[Approved by Governor September 14, 2006. Filed with
Secretary of State September 14, 2006.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2958, Committee on Agriculture. Food and agricultural programs.

Existing law requires that every lot, parcel, or package of commercial feed distributed within this state have affixed to it, or be accompanied by, a label that contains certain specified information, including the net weight of the contents of the lot or parcel, as specified.

This bill would provide that a lot, parcel, or package of commercial feed may have affixed to it, or be accompanied by a label that includes the net weight or volume of its contents.

Existing law requires that a license be obtained from the Secretary of Food and Agriculture for each location where commercial feed is manufactured, distributed, sold, or stored for later sale. Existing law requires the application for a license to be accompanied by a \$100 fee. Existing law also requires the license to be renewed each odd-numbered year and provides that if a license is not renewed within a month of its expiration, a penalty of \$40 shall be added to the fee.

This bill would provide that the department may specify a fee to obtain a license upon recommendation of the Feed Inspection Advisory Board of at least \$100, but not exceeding \$600. This bill would provide that commencing January 1, 2010, the license fee shall be \$100. This bill would specify uses to which new revenue generated by the fees is to be allocated. This bill would also specify that licenses are to be renewed annually and that the fee for failure to renew a license within one month of its expiration is \$100.

Because manufacture or distribution of commercial feed without a valid license is a crime, this bill would change the definition of a crime and thereby impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 14992 of the Food and Agricultural Code is amended to read:

14992. The label shall contain a legible and plainly printed statement which certifies all of the following:

(a) The net weight or volume of the contents of the lot or parcel unless accompanied by a certified certificate of weights and measures.

(b) The product name, brand name, or trademark.

(c) The name and principal address of the manufacturer or person that is responsible for placing the commodity on the market.

(d) The guaranteed analysis stated in terms as the director specifies by regulation.

(e) The recognized official name, as specified by the director, of each ingredient. The director may by regulation permit the use of a collective term for a group of ingredients which performs a similar function. The director may exempt a commercial feed, or any combination of commercial feeds from labeling requirements if he or she finds the listing is not necessary to comply with the intent of this chapter.

(f) Adequate directions, warnings and caution statements that may be necessary for the safe use of any feed.

SEC. 2. Section 15053 of the Food and Agricultural Code is amended to read:

15053. (a) Each application for a license shall be accompanied by an annual fee specified by the department for each location. Beginning on January 1, 2007, the minimum license fee shall be one hundred dollars (\$100) for each location and the maximum license fee for each location shall not exceed six hundred dollars (\$600) for each location with the specific fee to be set by the secretary upon recommendation of the Feed Inspection Advisory Board. Those licensees with feed licenses on the effective date of the bill who have previously paid their license fees for the then current fiscal year shall not be subject to any new fees until their licenses are renewed. Beginning January 1, 2010, the license fee shall be one hundred dollars (\$100) for each location. Those licensees with feed licenses on that date who have previously paid their license fees for the then current fiscal year shall not be subject to any new license fees until their licenses are renewed.

(b) Revenues generated from license fees shall be used to replenish feed inspection program reserves to a minimum of 25 percent of program expenditures, after which point some of the revenues from these fees shall be used to reduce feed tonnage taxes provided for in this chapter upon recommendation of the Feed Inspection Advisory Board.

SEC. 3. Section 15054 of the Food and Agricultural Code is amended to read:

15054. All licenses shall be renewed on July 1 of each year and shall be valid until June 30 of the next year. Each application for renewal shall

be accompanied by a fee in an amount specified by the department, pursuant to Section 15053, for each location operated.

SEC. 4. Section 15055 of the Food and Agricultural Code is amended to read:

15055. If a license is not renewed within one calendar month following its expiration, a penalty of one hundred dollars (\$100) shall be added to the fee.

SEC. 5. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.