

AMENDED IN SENATE JUNE 25, 2007

AMENDED IN ASSEMBLY APRIL 9, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 514**

---

---

**Introduced by Assembly Member Lieber**

February 20, 2007

---

---

An act to add Section ~~144.8~~ 6404.7 to the Labor Code, relating to occupational health.

LEGISLATIVE COUNSEL'S DIGEST

AB 514, as amended, Lieber. Workplace safety and health: diacetyl.

~~Under existing law, the Occupational Safety and Health Standards Board may adopt standards concerning removing hazardous substances from the workplace~~ *employers are required to provide a safe and healthful place of employment.*

~~This bill would require the board, no later than January 30, 2008, to adopt a standard to prohibit the use of diacetyl in the workplace by January 1, 2010~~ *provide that on and after January 1, 2009, no employer or employee shall use diacetyl in anyway.* This prohibition would not apply to naturally occurring diacetyl in food or beverages or certain processes.

*This bill would create a state-mandated local cost because it would create a new crime.*

*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.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: ~~no~~-yes.

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

1 SECTION 1. Section ~~144.8~~ 6404.7 is added to the Labor Code,  
2 to read:  
3 ~~144.8.~~  
4 6404.7. (a) Except as provided in subdivision (b), ~~the board~~  
5 ~~shall, no later than January 30, 2008, adopt a standard, to be~~  
6 ~~developed by the Division of Occupational Safety and Health, to~~  
7 ~~prohibit the use of diacetyl (2,3-butanedione) in the workplace by~~  
8 ~~January 1, 2010. on and after January 1, 2009, no employer or~~  
9 ~~employee shall engage in manufacturing, packaging, mixing, or~~  
10 ~~blending of diacetyl (2,3-butanedione, chemical abstract service~~  
11 ~~number 431-0308), or products that contain diacetyl, in any~~  
12 ~~amount or concentration.~~  
13 (b) Subdivision (a) shall not apply to naturally occurring diacetyl  
14 in food or beverages or to processes that result in the natural  
15 production of diacetyl.  
16 SEC. 2. *No reimbursement is required by this act pursuant to*  
17 *Section 6 of Article XIII B of the California Constitution because*  
18 *the only costs that may be incurred by a local agency or school*  
19 *district will be incurred because this act creates a new crime or*  
20 *infraction, eliminates a crime or infraction, or changes the penalty*  
21 *for a crime or infraction, within the meaning of Section 17556 of*  
22 *the Government Code, or changes the definition of a crime within*  
23 *the meaning of Section 6 of Article XIII B of the California*  
24 *Constitution.*