

Introduced by Senator MaldonadoFebruary 19, 2010

An act to add Section 110388 to the Health and Safety Code, relating to food.

LEGISLATIVE COUNSEL'S DIGEST

SB 1308, as introduced, Maldonado. Food: grocers: display of farm product price.

Existing law, the Sherman Food, Drug, and Cosmetic Law, requires the State Department of Public Health to regulate the manufacture, sale, labeling, and advertising activities related to food, drugs, devices, and cosmetics in conformity with the federal Food, Drug, and Cosmetic Act. A violation of these provisions is a crime.

This bill would require a grocer that directly buys farm products, as defined, from a farmer to display the price the grocer paid the farmer for his or her farm product. The price would be required to be displayed underneath the price the grocer is charging the consumer for the farm product. By creating a new crime, this bill would 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.

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

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

1 SECTION 1. Section 110388 is added to the Health and Safety
2 Code, to read:
3 110388. (a) A grocer that directly buys farm products from a
4 farmer shall display the price the grocer paid the farmer for this
5 or her farm product. The price paid to the farmer shall be displayed
6 underneath the price the grocer is charging the consumer for that
7 farm product.
8 (b) For purposes of this section, “farm product” means fruits,
9 nuts, or vegetables.
10 SEC. 2. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section 17556 of
16 the Government Code, or changes the definition of a crime within
17 the meaning of Section 6 of Article XIII B of the California
18 Constitution.