

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2403

Introduced by Assembly Member Valadao

February 24, 2012

An act ~~relating to nut and fruit tree wholesale purchasers~~ to amend Section 861 of the Food and Agricultural Code, relating to agricultural commodities.

LEGISLATIVE COUNSEL'S DIGEST

AB 2403, as amended, Valadao. ~~Nut and fruit tree wholesale purchasers: Kings County. Agricultural commodities: fruits, nuts, and vegetables: proof of ownership.~~

Existing law requires that every person who sells or buys fruits, nuts, or vegetables that are the food product of any tree, vine, or plant, and that are marketed for commercial purposes, to either provide or obtain a record of proof of ownership. Existing law makes this requirement applicable to lots of over 25 pounds.

This bill would instead make these requirements applicable to lots of over 10 pounds of any fruits, nuts, or vegetables.

~~Existing law imposes an annual assessment of 1% on the gross sales of all deciduous pome and stone fruit trees, nut trees, olive trees, and grapevines, including seeds, seedlings, rootstocks, and topstock.~~

~~This bill would express the intent of the Legislature to enact legislation establishing a pilot program in Kings County that would require nut and fruit tree wholesale purchasers to maintain logs containing information regarding each person offering to sell nut and fruit trees, including the person's name, business address, and vehicle license information.~~

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

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

1 SECTION 1. Section 861 of the Food and Agricultural Code
2 is amended to read:

3 861. For lots of over ~~25~~ 10 pounds of any fruits, nuts, or
4 vegetables that are the food product of any tree, vine, or plant, or
5 for lots of over 200 pounds of any burl wood from a walnut tree,
6 living or dead, and that are marketed for commercial purposes, all
7 of the following apply:

8 (a) Every person who sells the commodity for resale, processing,
9 or further distribution through any commercial or nonprofit
10 enterprise shall provide the buyer or transporter with a record of
11 proof of ownership for each lot of the commodity.

12 (b) Every person who buys the commodity for resale, processing,
13 or further distribution through any commercial or nonprofit
14 enterprise shall obtain from the previous buyer or from the
15 transporter a record of proof of ownership for each lot of the
16 commodity.

17 (c) Every person who transports for commercial purposes shall
18 possess a record showing proof of ownership for each lot of the
19 commodity during transportation.

20 ~~SECTION 1. It is the intent of the Legislature to enact~~
21 ~~legislation establishing a pilot program in Kings County that would~~
22 ~~require nut and fruit tree wholesale purchasers to maintain logs~~
23 ~~containing information regarding each person offering to sell nut~~
24 ~~and fruit trees, including the person's name, business address, and~~
25 ~~vehicle license information.~~

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