

Assembly Bill No. 1597

CHAPTER 281

An act to amend Sections 9641.5 and 42815 of the Food and Agricultural Code, relating to food and agriculture.

[Approved by Governor August 25, 2014. Filed with
Secretary of State August 25, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1597, Committee on Agriculture. Food and agriculture.

(1) Existing law requires any horse or other Equidae brought into the state to be accompanied by certain health information, including certification that the horse is free from evidence of any communicable disease. A violation of those provisions is an infraction or a misdemeanor, as specified. Existing law exempts from those provisions a horse or other Equidae moved from California to another state for no more than 14 days.

This bill would delete this exemption. By expanding the scope of a crime, this bill would impose a state-mandated local program.

(2) Existing law, until January 1, 2015, requires the Secretary of Food and Agriculture to create an industry-funded standardization program for purposes of implementing and enforcing provisions relating to fruits, nuts, and vegetables. Existing law requires the secretary to adopt regulations reasonably necessary to carry out those provisions, including establishing assessment rates and procedures for payment of assessments. Existing law establishes an assessment rate of \$0.003 per container for commodities that are not otherwise subject to a mandatory inspection fee, and an assessment rate of \$0.001 per container for commodities that are subject to a mandatory inspection fee, to be deposited in the Department of Food and Agriculture Fund and used for implementing and enforcing the provisions specified above. Existing law requires the secretary to exempt any commodity subject to those provisions if a petition representing a specified percentage of the producers is submitted to the secretary, as specified.

This bill would extend the repeal date of the standardization program provisions to January 1, 2020.

(3) 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 9641.5 of the Food and Agricultural Code is amended to read:

9641.5. (a) Any horse or other Equidae brought into this state shall be accompanied by the following:

(1) A certificate of health from the state of origin issued by an accredited veterinarian. The certificate shall state that the horse or other Equidae is free from evidence of any communicable disease.

(2) Verification that any horse or Equidae has been tested within the preceding 12 months and found negative to a test for equine infectious anemia. The test shall be approved by the secretary and conducted by a laboratory approved by the United States Department of Agriculture, and the necessary sample shall be taken, and the verification signed by, an accredited veterinarian.

(b) A nursing foal of less than six months of age when accompanied by a negative dam and any horse or other Equidae consigned for immediate slaughter shall be exempt from the testing requirements of this section.

SEC. 2. Section 42815 of the Food and Agricultural Code is amended to read:

42815. This article shall remain in effect only until January 1, 2020, and as of that date is repealed, unless a later enacted statute, which becomes effective on or before January 1, 2020, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. 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.