

**ASSEMBLY BILL**

**No. 264**

---

---

**Introduced by Assembly Member Dahle**

February 10, 2015

---

---

An act to amend Section 56109 of the Food and Agricultural Code, relating to farm products.

LEGISLATIVE COUNSEL'S DIGEST

AB 264, as introduced, Dahle. Farm products: produce dealers: seeds.

Existing law requires that any person engaged in the business of buying, receiving on consignment, soliciting for sale on commission, or negotiating the sale of farm products from a licensee or producer for resale, to be licensed. Existing law, for purposes of those provisions, defines "farm product" to include every agricultural, horticultural, viticultural, and vegetable product of the soil, poultry and poultry products, livestock products and livestock not for immediate slaughter, bees and apiary products, hay, dried beans, honey, and cut flowers, but excludes from that definition any timber or timber product, flower or agricultural or vegetable seed not purchased from a producer, any milk product that is subject to specified licensing requirements, any aquacultural product, or cattle sold to any person who is bonded under a specified federal law.

This bill would revise that definition to exclude flower, agricultural, or vegetable seeds from the definition of farm products, rather than only those that have not been purchased from a producer.

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

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

1 SECTION 1. Section 56109 of the Food and Agricultural Code  
2 is amended to read:  
3 56109. “Farm product” includes every agricultural,  
4 horticultural, viticultural, and vegetable product of the soil, poultry  
5 and poultry products, livestock products and livestock not for  
6 immediate slaughter, bees and apiary products, hay, dried beans,  
7 honey, and cut flowers. It does not, however, include any timber  
8 or timber product, flower or agricultural or vegetable seed ~~not~~  
9 ~~purchased from a producer~~, any milk product ~~which~~ *that* is subject  
10 to the licensing and bonding provisions of Chapter 2 (commencing  
11 with Section 61801) of Part 3 of Division 21, any aquacultural  
12 product, or cattle sold to any person who is bonded under the  
13 federal Packers and Stockyards Act, 1921 (7 U.S.C. Sec. 181, et  
14 seq.).

O