

**ASSEMBLY BILL**

**No. 1039**

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**Introduced by Committee on Agriculture**

February 26, 2015

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An act to amend Section 405 of the Food and Agricultural Code, relating to pest control.

LEGISLATIVE COUNSEL'S DIGEST

AB 1039, as introduced, Committee on Agriculture. Pest control: biological control organisms.

Existing law authorizes the Department of Food and Agriculture, with the prior approval of the Department of Fish and Wildlife and the State Department of Health Care Services, to reproduce or distribute biological control organisms that are not detrimental to the public health and safety that are known to be useful in reducing or preventing plant or animal damage due to pests or diseases.

This bill would prohibit the Department of Food and Agriculture from reproducing or distributing biological control organisms that are detrimental to the environment and would require the Department of Food and Agriculture to receive prior approval from the State Department of Public Health instead of the State Department of Health Care Services.

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 405 of the Food and Agricultural Code
- 2 is amended to read:

1 405. (a) With the prior approval of the Department of Fish  
2 and Wildlife and the State Department of ~~Health Care Services,~~  
3 *Public Health*, the department may reproduce or distribute  
4 biological control organisms that are not detrimental to *the*  
5 *environment or* the public health and safety that are known to be  
6 useful in reducing or preventing plant or animal damage due to  
7 pests or diseases.  
8 (b) The department shall not engage in the production of  
9 beneficial organisms when those organisms are available in  
10 sufficient amounts for purchase from commercial sources.