

**ASSEMBLY BILL**

**No. 1860**

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**Introduced by Assembly Member Alejo**

February 10, 2016

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An act to amend Section 566 of the Penal Code, relating to branded containers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1860, as introduced, Alejo. Branded containers: brand registration: destruction.

Existing law makes it a felony for an unauthorized person, as defined, to possess, or use, or to obliterate or destroy the brand registration upon, containers, including milk cases, cabinets, or other dairy equipment, which have a value in excess of \$950.

This bill would make technical, nonsubstantive changes to this provision.

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 566 of the Penal Code is amended to  
2 read:  
3 566. It is a felony, punishable by a fine not exceeding one  
4 thousand five hundred dollars (\$1,500), or by imprisonment  
5 pursuant to subdivision (h) of Section 1170, or both, for an  
6 unauthorized person to possess or use, or to obliterate or destroy  
7 the brand registration upon, ~~containers (including milk cases),~~  
8 *containers, including milk cases*, cabinets, or other dairy

1 equipment, which have a value in excess of nine hundred fifty  
2 dollars (\$950), when the containers, cabinets, or other dairy  
3 equipment are marked with a brand that is registered pursuant to  
4 Chapter 10 (commencing with Section 34501) of Part 1 of Division  
5 15 of the Food and Agricultural Code. ~~“Unauthorized person” shall~~  
6 ~~have the meaning of that term~~ *For purposes of this section,*  
7 *“unauthorized person” has the same meaning* as defined in Section  
8 34564 of the Food and Agricultural Code.

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