

## Assembly Bill No. 2511

### CHAPTER 331

An act to amend Section 14513 of, and to add Section 14513.5 to, the Food and Agricultural Code, relating to fertilizer.

[Approved by Governor September 13, 2016. Filed with Secretary of State September 13, 2016.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2511, Levine. Fertilizing materials: auxiliary soil and plant substances: biochar.

Existing law generally regulates fertilizer materials and provides for the licensure of individuals who manufacture or distribute fertilizing materials. Existing law defines various terms for the purpose of carrying out these provisions, including, but not limited to, auxiliary soil and plant substances. Existing law lists specific chemical or biological substances or mixtures of substances or devices included within the definition of auxiliary soil and plant substances and excludes commercial fertilizers, agricultural minerals, pesticides, soil amendments, and manures from the definition.

This bill would include biochar, as defined, as a product intended to be used for influencing soils, plant growth, or crop or plant quality for the purposes of the definition of auxiliary soil and plant substances.

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

SECTION 1. Section 14513 of the Food and Agricultural Code is amended to read:

14513. "Auxiliary soil and plant substance" means any chemical or biological substance or mixture of substances or device distributed in this state to be applied to soil, plants, or seeds for soil corrective purposes; or that is intended to improve germination, growth, yield, product quality, reproduction, flavor, or other desirable characteristics of plants; or that is intended to produce any chemical, biochemical, biological, or physical change in soil; but does not include commercial fertilizers, agricultural minerals, pesticides, soil amendments except biochar, or manures. It shall include the following:

- (a) Bacterial inoculants.
- (b) Biotics.
- (c) Lignin or humus preparations.
- (d) Microbial products, including genetically engineered microorganisms.
- (e) Soil binding agents.
- (f) Synthetic polyelectrolytes.

- (g) Wetting agents to promote water penetration.
- (h) Any similar product intended to be used for influencing soils, plant growth, or crop or plant quality, including biochar.

SEC. 2. Section 14513.5 is added to the Food and Agricultural Code, to read:

14513.5. “Biochar” means materials derived from thermochemical conversion of biomass in an oxygen-limited environment containing at least 60 percent carbon.