

**Introduced by Senator Hill**December 1, 2014

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An act to add Chapter 4.5 (commencing with Section 14400) to Division 7 of, and to add and repeal Section 14404 of, the Food and Agricultural Code, relating to livestock.

## LEGISLATIVE COUNSEL'S DIGEST

SB 27, as introduced, Hill. Livestock: use of antibiotics.

Existing law regulates the distribution and use of livestock drugs, as defined, by the Secretary of Food and Agriculture. Existing law also requires a person to obtain a license from the secretary to manufacture, sell, distribute, or store commercial feed, including commercial feed containing drugs.

This bill would prohibit the administration of medically important antimicrobial drugs, as defined, to livestock unless prescribed by a veterinarian pursuant to a veterinarian-client-patient relationship, as specified. The bill would make it unlawful to administer a medically important antimicrobial drug to livestock solely to cause an increased rate of weight gain or improved feed efficiency. The bill would also require the Department of Food and Agriculture to develop a program to track the use of medically important antimicrobial drugs in livestock and to track antibiotic-resistant bacteria and patterns of emerging resistance, and would also require the department, until March 1, 2020, to submit an annual report summarizing that data to the Legislature. The bill would also require the department to adopt regulations to promote the judicious use of medically important antimicrobial drugs in livestock, as specified.

Because a violation of the bill's provisions would be misdemeanor, the bill would impose a state-mandated local program.

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.

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

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

1 SECTION 1. Chapter 4.5 (commencing with Section 14400)  
2 is added to Division 7 of the Food and Agricultural Code, to read:

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4 CHAPTER 4.5. LIVESTOCK: USE OF ANTIBIOTICS

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6 14400. For purposes of this chapter, the following definitions  
7 apply:

8 (a) "Medically important antimicrobial drug" means an  
9 antimicrobial drug listed in Appendix A of the federal Food and  
10 Drug Administration's Guidance for Industry #152, including  
11 critically important, highly important, and important antimicrobial  
12 drugs, as that appendix may be amended.

13 (b) "Livestock" has the same meaning as in Section 14205.

14 14401. A medically important antimicrobial drug shall not be  
15 administered to livestock unless prescribed by a veterinarian  
16 pursuant to a veterinarian-client-patient relationship that meets the  
17 requirements of Section 2032.1 of Title 16 of the California Code  
18 of Regulations.

19 14402. It is unlawful to administer a medically important  
20 antimicrobial drug to livestock solely to cause an increased rate  
21 of weight gain or improved feed efficiency.

22 14403. The department shall develop a program to track the  
23 use of medically important antimicrobial drugs in livestock and  
24 to track antibiotic-resistant bacteria and patterns of emerging  
25 resistance. The program shall include reporting on the  
26 administration of each medically important antimicrobial drug that  
27 includes all of the following:

28 (a) The type of drug used.

29 (b) The number of livestock on which the drug was used.

30 (c) The species of the livestock.

- 1 (d) The duration of the administration of the drug.
- 2 (e) The purpose for which the drug was administered.
- 3 (f) The type of disease or infection that was treated.

4 14404. (a) On or before March 1 of each year, the department  
5 shall submit a report to the Legislature that summarizes the data  
6 collected pursuant to Section 14403 for the prior year.

7 (b) (1) A report submitted pursuant to subdivision (a) shall be  
8 submitted in compliance with Section 9795 of the Government  
9 Code.

10 (2) Pursuant to Section 10231.5 of the Government Code, this  
11 section is repealed on March 1, 2020.

12 14405. (a) The department shall adopt regulations to promote  
13 the judicious use of medically important antimicrobial drugs in  
14 livestock to ensure that each animal gets the maximum benefit  
15 from the drug and help preserve the life-saving potential of the  
16 drugs in the future. The regulations shall include antibiotic  
17 stewardship guidelines that include rules on the proper use of  
18 medically important antimicrobial drugs for disease prevention.

19 (b) For purposes of this section, “antibiotic stewardship” is a  
20 commitment to do both of the following:

21 (1) To use medically important antimicrobial drugs only when  
22 necessary to treat, and, in some cases, prevent, disease.

23 (2) To choose the appropriate medically important antimicrobial  
24 drug, and to administer the drug correctly each time.

25 14406. A violation of the provisions of this chapter is a  
26 misdemeanor punishable by imprisonment in county jail not  
27 exceeding six months, a fine not exceeding one thousand dollars  
28 (\$1,000), or by both the fine and imprisonment.

29 SEC. 2. No reimbursement is required by this act pursuant to  
30 Section 6 of Article XIII B of the California Constitution because  
31 the only costs that may be incurred by a local agency or school  
32 district will be incurred because this act creates a new crime or  
33 infraction, eliminates a crime or infraction, or changes the penalty  
34 for a crime or infraction, within the meaning of Section 17556 of  
35 the Government Code, or changes the definition of a crime within  
36 the meaning of Section 6 of Article XIII B of the California  
37 Constitution.