

AMENDED IN SENATE JUNE 1, 2015

SENATE BILL

No. 27

Introduced by Senator Hill

December 1, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

SB 27, as amended, Hill. Livestock: use of ~~antibiotics~~. *antimicrobial drugs*.

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, *beginning January 1, 2017*, prohibit the administration of medically important antimicrobial drugs, as defined, to livestock unless ~~prescribed~~ *ordered* by a veterinarian *through a prescription or veterinary feed directive* pursuant to a veterinarian-client-patient relationship, as ~~specified~~. ~~The bill would make it unlawful to administer a specified, and would prohibit the administration of a~~ medically important antimicrobial drug to livestock solely to cause an increased rate of weight gain or improved feed efficiency. ~~The bill~~ *bill, subject to the availability of funding for this purpose*, would ~~also~~ require the Department of Food and Agriculture to develop a program *or participate in an initiative* to track the use of medically important antimicrobial drugs in livestock and to track ~~antibiotic-resistant~~ *antimicrobial-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. *resistance*. 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:

3
 4 CHAPTER 4.5. LIVESTOCK: USE OF ANTIBIOTICS *ANTIMICROBIAL*
 5 *DRUGS*

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

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

14 (b) “Livestock” has the same meaning as in Section 14205.

15 14401. ~~A~~ *Beginning January 1, 2017, a medically important*
 16 *antimicrobial drug shall not be administered to livestock unless*
 17 ~~prescribed~~ *ordered by a veterinarian through a prescription or*
 18 *veterinary feed directive, pursuant to a veterinarian-client-patient*
 19 *relationship that meets the requirements of Section 2032.1 of Title*
 20 *16 of the California Code of Regulations.*

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

1 14402. (a) Beginning January 1, 2017, a medically important
2 antimicrobial drug may be used when, in the professional judgment
3 of a licensed veterinarian, the medically important antimicrobial
4 drug is necessary for any of the following:

- 5 (1) To treat or control the spread of a disease or infection.
- 6 (2) In relation to surgery or a medical procedure.
- 7 (3) To prevent the transmission of a particular disease or
8 infection known to occur in a specific situation.

9 (b) A person shall not administer a medically important
10 antimicrobial drug to livestock for purposes of promoting weight
11 gain or improving feed efficiency.

12 (c) Unless the administration is consistent with subdivision (a),
13 a person shall not administer a medically important antimicrobial
14 drug in a repeated or regular pattern.

15 14403. ~~The~~ If funds are made available for this purpose, the
16 department shall develop a program or participate in an initiative
17 to track the use of medically important antimicrobial drugs in
18 livestock and to track ~~antibiotic-resistant~~ antimicrobial-resistant
19 bacteria and patterns of emerging resistance. ~~The program shall~~
20 ~~include reporting on the administration of each medically important~~
21 ~~antimicrobial drug that includes all of the following:~~

- 22 ~~(a) The type of drug used.~~
- 23 ~~(b) The number of livestock on which the drug was used.~~
- 24 ~~(c) The species of the livestock.~~
- 25 ~~(d) The duration of the administration of the drug.~~
- 26 ~~(e) The purpose for which the drug was administered.~~
- 27 ~~(f) The type of disease or infection that was treated.~~

28 14404. (a) On or before March 1 of each year, the department
29 shall submit a report to the Legislature that summarizes the data
30 collected pursuant to Section 14403 for the prior year.

31 (b) ~~(1) A report submitted pursuant to subdivision (a) shall be~~
32 ~~submitted in compliance with Section 9795 of the Government~~
33 ~~Code.~~

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

36 14405.

37 14404. (a) The department shall adopt regulations to promote
38 the judicious use of medically important antimicrobial drugs in
39 livestock to ensure that each animal gets the maximum benefit
40 from the drug and help preserve the lifesaving potential of the

1 drugs in the future. The regulations shall include ~~antibiotic~~
2 *antimicrobial* stewardship guidelines that include rules on the
3 proper use of medically important antimicrobial drugs for disease
4 prevention.

5 (b) For purposes of this section, ~~“antibiotic~~ “*antimicrobial*
6 stewardship” is a commitment to do ~~both~~ *all* of the following:

7 (1) To use medically important antimicrobial drugs only when
8 necessary to treat, *control*, and, in some cases, prevent, disease.

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

11 (3) *To use medically important antimicrobial drugs for the*
12 *shortest duration necessary and administered to the fewest animals*
13 *necessary.*

14 ~~14406. — A violation of the provisions of this chapter is a~~
15 ~~misdemeanor punishable by imprisonment in county jail not~~
16 ~~exceeding six months, a fine not exceeding one thousand dollars~~
17 ~~(\$1,000), or by both the fine and imprisonment.~~

18 SEC. 2. No reimbursement is required by this act pursuant to
19 Section 6 of Article XIII B of the California Constitution because
20 the only costs that may be incurred by a local agency or school
21 district will be incurred because this act creates a new crime or
22 infraction, eliminates a crime or infraction, or changes the penalty
23 for a crime or infraction, within the meaning of Section 17556 of
24 the Government Code, or changes the definition of a crime within
25 the meaning of Section 6 of Article XIII B of the California
26 Constitution.