

Senate Bill No. 822

CHAPTER 279

An act to amend Section 5919 of the Food and Agricultural Code, relating to agricultural pest control.

[Approved by Governor September 9, 2016. Filed with Secretary of State September 9, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 822, Roth. Agricultural pest control: citrus disease prevention: monthly assessment.

Existing law creates the California Citrus Pest and Disease Prevention Committee in the Department of Food and Agriculture to, among other things, develop a statewide citrus specific pest and disease work plan.

Existing law requires producers in the citrus fruit industry to pay a monthly assessment not exceeding \$0.09 per carton of citrus fruit, to be used for citrus disease management and pest control activities, which are deposited in the Citrus Disease Management Account in the Department of Food and Agriculture Fund, except as specified.

This bill would increase the maximum amount of the monthly assessment to \$0.12 per carton of citrus fruit.

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

SECTION 1. Section 5919 of the Food and Agricultural Code is amended to read:

5919. (a) During the first marketing season, beginning February 1, 2010, and ending September 30, 2010, the monthly assessment to be paid by producers shall be one cent (\$0.01) per carton. Thereafter, in addition to any other assessments, fees, or charges that may be required pursuant to this code, producers shall pay a monthly assessment established by the committee that shall not exceed twelve cents (\$0.12) per carton. The assessment shall be:

- (1) Based on the number of 40-pound carton equivalents produced.
- (2) Collected from the producer by the first handler. If a producer prepares the citrus fruit for market, the producer shall be deemed the handler.
- (3) Remitted to the department by the first handler, along with an assessment report, at the end of each month during the marketing season.
- (4) Deposited in the Citrus Disease Management Account in the Department of Food and Agriculture Fund or, upon the recommendation of the committee, deposited in accordance with Section 227 or Article 2.5 (commencing with Section 230) of Chapter 2 of Part 1 of Division 1. The

use of the funds deposited in the Citrus Disease Management Account shall be limited to the activities authorized by this article.

(b) A producer producing less than 750 40-pound carton equivalents shall not be required to remit the assessment provided in subdivision (a).

(c) The committee may recommend to the secretary an assessment less than the amount specified in subdivision (a) or no assessment if no disease prevention program is necessary or if there is sufficient reserve to operate the program, except as provided in Section 5930.