

Assembly Bill No. 453

CHAPTER 111

An act to amend Section 6501 of the Food and Agricultural Code, relating to agriculture.

[Approved by Governor July 17, 1995. Filed with
Secretary of State July 18, 1995.]

LEGISLATIVE COUNSEL'S DIGEST

AB 453, Woods. Plant quarantine and pest control.

(1) Existing law provides for plant quarantine and pest control and prohibits a person from receiving or transporting plants, appliances, or things liable to be infected or infested with a pest unless the person notifies the county agricultural inspector and holds the item for inspection. A violation of this provision is a misdemeanor.

This bill also would require each shipment of plants to have specified information legibly marked upon it in a conspicuous manner and place. Thus, because the bill would expand the scope of an existing crime, the bill would impose a state-mandated local program.

(2) 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.

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

SECTION 1. Section 6501 of the Food and Agricultural Code is amended to read:

6501. Except as otherwise provided in Section 6502, 6504, 6506, or 6924, it is unlawful for any person to receive or bring into any county or locality of the state from another county or locality within the state any nursery stock, or any other plant, appliance, or thing subject to a federal or state quarantine or which the commissioner or the director considers and designates to be liable to be infected or infested with any pest, unless the person does all of the following:

(a) Notifies the commissioner of the arrival of the article immediately after its arrival.

(b) Holds it for immediate inspection by the commissioner, without unnecessarily moving or placing the article where it may be harmful.



(c) Legibly marks the shipment in a conspicuous manner and place with all of the following:

- (1) The name and address of the shipper or owner.
- (2) The name of the person to whom the shipment is forwarded or shipped or the name of his or her agent.
- (3) The name of the county where the contents of the shipment were grown.
- (4) A statement of its contents.

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

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

