

AMENDED IN SENATE MAY 31, 2000

AMENDED IN ASSEMBLY MAY 8, 2000

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 2622

Introduced by Assembly Member Dickerson

February 25, 2000

An act to add Chapter ~~3.5~~ 4 (commencing with Section ~~52750~~) to Division ~~18~~ 55000) to Division 20 of the Food and Agricultural Code, relating to farm products.

LEGISLATIVE COUNSEL'S DIGEST

AB 2622, as amended, Dickerson. Farm products: rice seed certification.

Existing law creates the California Rice Commission, with a prescribed membership and with specified powers, duties, and responsibilities, which is authorized, among other things, to promote the sale of rice, educate and instruct the wholesale and retail trade with respect to proper methods of handling and selling rice, and conduct scientific research.

This bill would, in addition, create the California Rice Certification Act of 2000 under which the California Rice Commission would appoint a committee, with a prescribed membership and with specified powers, duties, and responsibilities, including the duty to recommend regulations relating to rice identified as having characteristics of commercial impact, as specified. The bill would set forth various definitions. The bill would provide for the certification

of rice; the imposition of various assessments; the registration of any person engaged in the production or handling of certified rice; and the labeling of certified rice, as specified.

Existing law provides that any violation of a provision of the Food and Agricultural Code is a misdemeanor, unless a different penalty is expressly provided. Because this bill would declare certain acts to be violations of state law, the bill would make those acts crimes, thereby imposing a state-mandated local program. The bill would also provide for civil penalties and injunctive relief with respect to a violation under the bill, as specified.

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.

~~Existing law authorizes the Secretary of Food and Agriculture to publish in pamphlet form as often as he or she thinks necessary a list of licensed processors, together with all the necessary regulations that concern the enforcement of certain specified provisions of law.~~

~~This bill would authorize the secretary to adopt regulations that designate as a rice seed certification organization any person or agency, other than any commercial producer of rice seed, that the secretary finds qualified to certify rice seed, as specified. The bill also would require the secretary to consult with the University of California and representatives of the rice industry of this state before approving the qualifications of any rice seed certification organization.~~

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

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

- 1 ~~SECTION 1. Chapter 3.5 (commencing with Section~~
- 2 *SECTION 1. Chapter 4 (commencing with Section*
- 3 *55000) is added to Division 20 of the Food and*
- 4 *Agricultural Code, to read:*
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Article 2. Definitions

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55006. Unless the context otherwise requires, the definitions in this article govern the construction of this chapter.

55007. "Books and records" means books, records, contracts, documents, memoranda, papers, correspondence, or other data, whether in written, magnetic, or electronic form, that pertain to matters relating to this chapter.

55008. "Certification" means certification pursuant to Article 7 (commencing with Section 55070).

55009. "Characteristics of commercial impact" means characteristics that present a special risk if a rice possessing those characteristics is commingled with other rice not possessing those characteristics. Characteristics of commercial impact include, but are not limited to, those characteristics that cannot be visually identified without the aid of specialized equipment or testing, those characteristics that create a significant economic impact in their removal from commingled rice, and those characteristics the removal of which from commingled rice by mechanical or other physical means is infeasible.

55010. "Commission" means the California Rice Commission created pursuant to Chapter 9.5 (commencing with Section 71000) of Part 2 of Division 22.

55010.5. "Committee" refers to the committee established under Section 55020.

55011. "Handler" means any person engaged in this state in the business of marketing rice, including persons engaged in the drying, milling, or storing of rice.

55012. "Person" includes any individual, partnership, limited liability company, limited liability partnership, corporation, firm, company, or any other entity doing business in California.

55013. "Producer" includes any person who produces, or causes to be produced, rice.

55014. "Rice" means all rough or "paddy" rice or milled rice (*Oryza species*) produced in or shipped into California, including mochi rice (sweet rice) and rice



1 *produced for seed. It does not include wild rice (Zizania*
2 *aquatica; Zizania palustris).*

3 55015. “Secretary” means the Secretary of Food and
4 Agriculture.

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Article 3. Administration

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8 55020. The commission shall appoint a committee to
9 administer Section 55040 and Article 5 (commencing
10 with Section 55050), except as otherwise specified. The
11 committee shall include, but not be limited to, producers,
12 handlers as that term is defined in Section 71026, and one
13 representative of the University of California, the
14 California Crop Improvement Association, California
15 Warehouse Association and California Cooperative Rice
16 Research Foundation. Producers and handlers shall be
17 appointed in equal numbers and shall constitute a
18 majority of the committee.

19 55021. All funds received from the assessments levied
20 under this chapter shall be deposited in banks that the
21 commission may designate and shall be disbursed by
22 order of the commission through an agent or agents as it
23 may designate for that purpose. The agent or agents shall
24 be bonded by a fidelity bond, executed by a surety
25 company authorized to transact business in the state, in
26 favor of the commission, in an amount of not less than
27 twenty-five thousand dollars (\$25,000).

28 55002. (a) When the secretary is required to concur
29 in a decision of the committee relative to this chapter, the
30 secretary shall give his or her response to the committee
31 within 15 working days from notification of the decision.
32 The secretary shall set forth in writing with specificity the
33 reasons for any refusal to concur. The secretary’s response
34 may be a requirement that additional information be
35 provided.

36 (b) In adopting regulations pursuant to this chapter,
37 the secretary shall accept the recommendations of the
38 committee whenever he or she finds them to be
39 practicable and in the interests of the rice industry and
40 the public. The secretary shall provide the committee



1 with a written statement of reasons within 15 working
2 days, whenever he or she does not accept the
3 recommendation of the committee. The secretary may
4 accept or reject, but may not modify the
5 recommendation of the committee.

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Article 4. Duties and Powers

9 55040. The powers and duties of the committee under
10 this chapter shall include, but not be limited to, all of the
11 following:

12 (a) Identifying rices that have characteristics of
13 commercial impact.

14 (b) Recommending to the secretary proposed
15 regulations establishing restrictions and conditions for
16 planting, producing, harvesting, transporting, drying,
17 storing, or otherwise handling rice identified as having
18 characteristics of commercial impact, including, but not
19 limited to, seed application requirements, appropriate
20 field buffer zones, handling requirements, and identity
21 preservation requirements. All rice identified as having
22 characteristics of commercial impact shall be subject to
23 an identity preservation program.

24 (c) Reviewing the efficacy of restrictions, conditions,
25 and identity preservation programs imposed on the
26 planting, producing, harvesting, transporting, drying,
27 storing, or otherwise handling of rice identified as having
28 characteristics of commercial impact using the most
29 current industry standards and generally accepted
30 scientific principals, which restrictions shall be no more
31 restrictive than is necessary to accomplish the purposes
32 of this chapter.

33 (d) Recommending to the secretary on all matters
34 pertaining to this chapter, including, but not limited to,
35 the program for enforcing this chapter and the setting of
36 the appropriate assessment rates necessary for the
37 administration of this chapter.

38 55045. (a) The commission may receive and
39 investigate complaints regarding alleged violations of this
40 chapter and the regulations adopted under it and may



1 refer cases to the department for further action pursuant
2 to Section 55107.

3 (b) The commission shall provide notice to the party
4 alleged to have violated the provisions of this chapter
5 informing him or her of the commission's decision to take
6 further action pursuant to this article. The party may seek
7 a review of the commission's decision by the secretary.
8 On review, the secretary shall affirm the decision of the
9 commission unless he or she finds the action to be an
10 abuse of the commission's discretion, as defined in Section
11 1094.5 of the Code of Civil Procedure.

12 (c) Notwithstanding subdivision (b), the commission
13 may immediately seek injunctive relief, as specified in
14 Section 55046. Any injunction obtained by the
15 commission shall remain in full force and effect pending
16 any review by the secretary.

17 55046. (a) The commission may investigate and
18 commence civil actions and utilize all remedies provided
19 in law or equity for the collection of assessments and for
20 the obtaining of injunctive relief or specific performance
21 regarding this chapter and the regulations adopted under
22 it. The commission may seek a writ of attachment or
23 injunctive relief, including, but not limited to, a
24 temporary restraining order, temporary injunction, or a
25 permanent injunction, in order to prevent any violation
26 or threatened violation of this chapter. A court shall issue
27 to the commission any requested writ of attachment or
28 injunctive relief upon a prima facie showing by verified
29 complaint that a named defendant has violated, or has
30 threatened to violate, this chapter or any regulation
31 promulgated under it. No bond shall be required to be
32 posted by the commission as a condition for the issuance
33 of the requested writ of attachment or injunctive relief.

34 (b) A writ of attachment shall be issued pursuant to
35 Chapter 4 (commencing with Section 485.101) of Title 6.5
36 of Part 2 of the Code of Civil Procedure, except that the
37 showing specified in Section 485.010 of the Code of Civil
38 Procedure shall not be required. Injunctive relief shall be
39 issued pursuant to Chapter 3 (commencing with Section
40 525) of Title 7 of Part 2 of the Code of Civil Procedure,



1 *except that the showing of irreparable harm or*
2 *inadequate remedy at law specified in Sections 526 and*
3 *527 of the Code of Civil Procedure shall not be required.*

4 *(c) Upon entry of any final judgment on behalf of the*
5 *commission against any defendant, the court shall enjoin*
6 *the defendant from conducting any type of business*
7 *regarding rice until there is full compliance and*
8 *satisfaction of the judgment. Upon a favorable judgment*
9 *for the commission, it shall be entitled to receive*
10 *reimbursement for any reasonable attorney's fees and*
11 *other actual related costs. Venue for these actions may be*
12 *established at the domicile or place of business of the*
13 *defendant or in the county of the principal place of*
14 *business of the commission. The commission may be sued*
15 *only in the county of its principal office.*

16 *55047. The committee shall recommend to the*
17 *secretary that regulations be adopted by the secretary*
18 *that accomplish all of the following purposes:*

19 *(a) Maintain the integrity and prevent the*
20 *contamination of rice which has not been identified as*
21 *having characteristics of commercial impact.*

22 *(b) Prevent the introduction of disease, weeds, or*
23 *other pests.*

24 *(c) Ensure that persons selling, offering for sale, or*
25 *otherwise distributing seed for the production of rice*
26 *identified as having characteristics of commercial impact,*
27 *or that persons bringing rice identified as having*
28 *characteristics of commercial impact into the state for*
29 *processing, notify the commission of the location of*
30 *planting sites and of the dates and procedures for*
31 *planting, producing, harvesting, transporting, drying,*
32 *storing, or otherwise handling of rice identified as having*
33 *characteristics of commercial impact.*

34 *(d) Ensure that persons receiving rice having been*
35 *identified as having characteristics of commercial impact*
36 *produced outside the state for processing notify the*
37 *commission of the location of the receipt and of the*
38 *procedures for processing, transporting, drying, storing,*
39 *or otherwise handling the rice to prevent commercial*



1 *impact to other rice and the spread of weeds, disease, or*
2 *other pests.*

3 *(e) Ensure enforcement of restrictions and conditions*
4 *imposed on the planting, producing, harvesting,*
5 *transporting, drying, storing, or otherwise handling of*
6 *rice identified as having characteristics of commercial*
7 *impact.*

8 *(f) Permit and encourage research and development*
9 *of new types of rice.*

10

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Article 5. Commercial Impact Rice

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13 *55050. Except as provided for in Section 55052, no*
14 *person may plant, produce, harvest, transport, dry, store,*
15 *or otherwise handle rice identified as having*
16 *characteristics of commercial impact, except in*
17 *compliance with the provisions of this chapter and the*
18 *regulations adopted under it.*

19 *55051. Except as specified in Section 55052, no rice*
20 *may be sold, offered for sale, or otherwise distributed,*
21 *planted, harvested, transported, dried, stored, or*
22 *otherwise handled unless it has been reviewed by the*
23 *committee for the purposes of making the findings set*
24 *forth in Section 55040, and if necessary, the establishment*
25 *of regulations pursuant to Section 55047.*

26 *55052. (a) Except as set forth in this section, this*
27 *chapter shall not apply to 50 acres or less of rice of any*
28 *type planted for research purposes. No one type may be*
29 *planted on more than 50 acres in the state and be*
30 *considered research within the meaning of this section.*
31 *Any person conducting research on 50 acres or less shall*
32 *notify the committee of the location of the acreage*
33 *involved, and the proposed procedures for planting,*
34 *producing, harvesting, transporting, drying, storing, or*
35 *otherwise handling the rice. The committee shall review*
36 *and approve, modify, or reject the proposed procedures*
37 *to ensure that the research will not result in commercial*
38 *impacts to other rice.*

39 *(b) In addition to the information required pursuant*
40 *to subdivision (a), the committee may require any person*



1 *proposing to conduct research using rice brought into the*
 2 *state from another state or country to provide the*
 3 *committee with proposed procedures to ensure that the*
 4 *introduced rice is free of disease, weeds, or other pests.*
 5 *The committee shall review and approve, modify, or*
 6 *reject the proposed procedures.*

7 *(c) The notice required pursuant to this section shall*
 8 *not require specific information regarding the attributes*
 9 *of the rice that is the subject of the research.*

10 *(d) The notice required by this section shall be*
 11 *provided in the time and manner specified by the*
 12 *committee.*

13

14 *Article 6. Assessments*

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16 *55060. (a) Any person engaged in the business of*
 17 *selling, offering for sale, or otherwise distributing seed for*
 18 *the production of rice identified as having characteristics*
 19 *of commercial impact, shall annually pay to the*
 20 *commission an assessment in an amount not to exceed*
 21 *five dollars (\$5) per hundredweight (cwt.).*

22 *(b) The first in-state handler of paddy or brown rice*
 23 *identified as having characteristics of commercial impact,*
 24 *or of seed for the production of rice identified as having*
 25 *characteristics of commercial impact, brought into the*
 26 *state from outside California, shall report the receipt of*
 27 *the rice or seed and pay an assessment to the commission*
 28 *in an amount not to exceed _____ per _____. The*
 29 *report and payment shall be made in the time and*
 30 *manner specified by the commission.*

31 *55061. The assessment shall be paid in the time and*
 32 *manner specified by the commission. No assessment shall*
 33 *be paid by any person for any rice seed for which the*
 34 *assessment has been previously paid. Assessments not*
 35 *paid when due shall be subject to a penalty of 10 percent*
 36 *of the assessment and interest at the rate of 1 percent per*
 37 *month.*

38 *55062. The commission shall use all funds received*
 39 *pursuant to this chapter for the purposes of this chapter.*



1 55063. *The commission shall publish an annual report*
2 *of its activities pursuant to this chapter, and provide an*
3 *accounting of the use of assessments collected pursuant*
4 *to this chapter. The report, in aggregate form, shall be*
5 *made available to any person upon request.*

6
7 *Article 7. Certification of Rice*
8

9 55070. *The commission may establish a program*
10 *allowing for the certification of any verifiable attribute of*
11 *rice. The commission may operate the certification*
12 *program or contract with qualified entities to implement*
13 *all or any aspect of the certification program. No*
14 *organization shall be considered qualified for the*
15 *purposes of this article unless it can provide accurate,*
16 *verifiable certification of identified attributes of seed,*
17 *rough or paddy rice, or milled rice, as determined by the*
18 *commission. This article does not authorize the*
19 *certification of any rice as organic.*

20 55071. (a) *The commission shall require any*
21 *organization seeking to certify rice pursuant to this article*
22 *to file the procedures and standards of an internationally*
23 *recognized identity preservation program or a*
24 *certification plan, including, but not limited to, the*
25 *following:*

26 (1) *Minimum information to be required from seed*
27 *producers, producers and handlers regarding*
28 *production, growing, conditioning, or processing*
29 *practices, and methods for verifying the information*
30 *received.*

31 (2) *Qualifications of, and training requirements for, all*
32 *inspectors.*

33 (3) *Procedures for inspection and testing methods,*
34 *including a detailed description of the sampling*
35 *methodologies.*

36 (4) *Criteria for certification and attributes to be*
37 *certified.*

38 (5) *Processes for making decisions relative to*
39 *certification procedures, criteria, and methods.*

1 (b) The certification plan shall be kept by the
2 commission and made available for public inspection
3 upon request.

4 55072. Organizations certifying rice shall keep
5 accurate books, accounts, and records of all activities
6 relating to certification. The records shall be preserved
7 for a period of three years and shall be offered and
8 submitted for inspection at any reasonable time upon
9 written demand of the commission.

10 55074. At the end of each rice-producing season, each
11 organization certifying rice for the commission shall
12 prepare a list of all persons whose rice has been certified
13 or is pending certification. This list shall be filed with the
14 commission and shall be available for public inspection.

15 55075. (a) Notwithstanding any other provision of
16 law, any producer or handler of rice sold as a certified rice
17 and any organization certifying rice for the commission
18 shall immediately make available for inspection by, and
19 shall within 72 hours of a request provide to, the
20 commission a copy of any record required to be kept
21 under this chapter. Records acquired pursuant to this
22 section and any information marked trade secret or
23 confidential acquired by the commission in carrying out
24 its duties under this chapter shall not be public records as
25 that term is defined in Section 6252 of the Government
26 Code and shall not be subject to Chapter 3.5
27 (commencing with Section 6250) of the Government
28 Code.

29 (b) The commission shall not be required to obtain
30 records not in its possession in response to a subpoena.
31 Prior to releasing records required to be kept pursuant to
32 this chapter in response to a subpoena, the commission
33 shall delete any financial information about any operation
34 or transaction, information regarding the identity of
35 suppliers or customers, the quantity or price of supplies
36 purchased or products sold and any information marked
37 trade secret or confidential shall be removed before
38 disclosure and shall not be released to any person.

39 (c) Except for those records subject to public
40 inspection pursuant to Sections 55071 and 55074, this



1 *section shall be the exclusive means of public access to*
2 *records required to be kept or obtained by the*
3 *commission pursuant to this chapter.*

4 *55076. Upon receipt of a petition from any person*
5 *providing adequate evidence of good cause to do so, the*
6 *commission may declare all rice produced within a*
7 *specified area to be certified as to any attribute. If the*
8 *commission makes this declaration, all rice produced*
9 *within the area shall be deemed certified, and may be*
10 *labeled as provided in Section 55082 if the rice is handled*
11 *to preserve its identity.*

12
13 *Article 8. Sale of Certified Rice*
14

15 *55080. Every person engaged in this state in the*
16 *production or handling of rice to be identified as certified*
17 *pursuant to this chapter, shall register with the*
18 *commission or its designate prior to the first sale of rice*
19 *so identified, and shall thereafter annually renew the*
20 *registration unless the person is no longer engaged in the*
21 *activities requiring registration.*

22 *55081. Registration shall be on a form developed by*
23 *the commission, or developed by its designate and*
24 *approved by the commission, and shall be valid for one*
25 *calendar year from the date of validation by the*
26 *commission or its designate.*

27 *55082. Rice certified pursuant to this chapter shall be*
28 *labeled as follows or with substantially similar language:*

29
30 *“THIS LOT OF RICE CERTIFIED (accurate*
31 *indentification of specified attribute) IN*
32 *ACCORDANCE WITH THE CALIFORNIA RICE*
33 *CERTIFICATION ACT OF 2000.”*

34
35 *The label shall also include the name of any*
36 *organization that provided the certification as the*
37 *commission’s designate.*

38 *55083. This chapter shall apply to all rice sold as*
39 *certified pursuant to this chapter within the state,*
40 *wherever produced or handled, and to all rice produced*

1 or handled in the state, wherever sold as certified,
2 pursuant to this chapter; except that in lieu of registration
3 under this chapter, the department may recognize a
4 certification program operating outside the state that
5 certifies rice sold as certified, provided that program
6 meets minimum standards substantially similar to those
7 contained in this chapter. The department may establish
8 a procedure whereby certification organizations
9 operating outside the state may apply for and receive
10 recognition.

11

12

Article 9. Violations

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14 55100. (a) It is unlawful for any person to sell, offer
15 for sale, advertise, or label rice in violation of this chapter.

16 (b) Notwithstanding subdivision (a), a person
17 engaged in business as a retailer of rice who in good faith
18 sells, offers for sale, labels, or advertises any rice in
19 reliance on the representations of a producer or handler
20 that the rice may be sold as certified, shall not be found
21 to violate this chapter, except under any of the following
22 circumstances:

23 (1) The retailer knew or should have known that the
24 rice could not be sold as certified.

25 (2) The retailer was engaged in producing or handling
26 the rice.

27 (3) The retailer prescribed or specified the manner in
28 which the rice was produced or handled.

29 55101. (a) It is unlawful for any person to certify rice
30 in violation of this chapter.

31 (b) It is unlawful for any person to certify rice unless
32 designated by the commission.

33 (c) It is unlawful for any person to willfully make a
34 false statement or representation, or knowingly fail to
35 disclose a fact required to be disclosed pursuant to Article
36 7 commencing with Section 55070).

37 55102. (a) It is unlawful for any person to produce or
38 handle rice sold as certified unless duly registered
39 pursuant to Section 55080.



1 (b) It is unlawful for any person to willfully make a
2 false statement or representation, or knowingly fail to
3 disclose a fact required to be disclosed, during
4 registration pursuant to Section 55080.

5 55103. It is unlawful for any person to forge, falsify, fail
6 to retain, fail to obtain, or fail to disclose records as
7 required by this chapter.

8 55104. It is unlawful for any person to fail or refuse to
9 pay any assessments levied pursuant to this chapter.

10 55105. It is unlawful for any person to sell, offer for
11 sale, or otherwise distribute, plant, grow, harvest, handle,
12 or store rice, except in compliance with this chapter and
13 the regulations adopted under it.

14 55106. (a) The secretary may levy a civil penalty
15 against any person who violates this chapter, or any
16 regulations adopted pursuant to this chapter, in an
17 amount not more than five thousand dollars (\$5,000) for
18 each violation. The amount of the penalty assessed for
19 each violation shall be based upon the nature of the
20 violation, the seriousness of the effect of the violation
21 upon the effectuation of the purposes and provisions of
22 this chapter, and the impact of the penalty on the violator,
23 including the deterrent effect on future violations.

24 (b) Upon a finding that a violation was unintentional,
25 the secretary may levy a civil penalty of not more than
26 two thousand five hundred dollars (\$2,500) for each
27 violation.

28 (c) For a first offense, and upon a finding that the
29 violation is minor and unintentional, in lieu of a civil
30 penalty as prescribed in subdivision (a) or (b), the
31 secretary may issue a notice of violation.

32 (d) A person against whom a civil penalty is levied
33 shall be afforded an opportunity for a hearing before the
34 secretary, upon a request made within 30 days after the
35 date of issuance of the notice of penalty. At the hearing,
36 the person shall be given the right to present evidence on
37 his or her own behalf. If no hearing is requested, the civil
38 penalty shall constitute a final and nonreviewable order.

39 (e) If a hearing is held, review of the decision of the
40 secretary may be sought by the person against whom the



1 civil penalty is levied within 30 days of the date of the final
2 order of the secretary pursuant to Section 1094.5 of the
3 Code of Civil Procedure.

4 (f) A civil penalty levied by the secretary pursuant to
5 this section may be recovered in a civil action brought in
6 the name of the state.

7 55107. (a) Any violation of any provision of this
8 chapter or the regulations promulgated under it shall
9 constitute grounds for injunctive relief. An action for
10 injunctive relief may be brought in a court of competent
11 jurisdiction by the secretary. The commission shall also be
12 authorized to bring an action in its own name for
13 injunctive relief on the grounds provided for in this
14 chapter.

15 (b) Prior to bringing an action for injunctive relief
16 pursuant to this section, the committee shall review all
17 available information, recommend specific enforcement
18 action to the secretary, and allow the secretary the
19 opportunity to respond, as provided for in Section 55060.
20 Notwithstanding the secretary's response, nothing in this
21 section shall be construed as preventing the committee
22 from bringing the action.

23 55108. Penalties assessed pursuant to this article shall
24 be handled by the commission in the manner specified in
25 Section 55062.

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

36 ~~52750) is added to Division 18 of the Food and~~
37 ~~Agricultural Code, to read:~~

38



CHAPTER 3.5. ~~RICE SEED CERTIFICATION~~

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2
3 ~~52750. The secretary may, by regulation, designate as~~
4 ~~a rice seed certification organization any person or~~
5 ~~agency, other than any commercial producer of rice seed,~~
6 ~~that the secretary finds is qualified to certify rice seed as~~
7 ~~to its variety, quality, and freedom from pests and~~
8 ~~diseases. The secretary shall consult with the University~~
9 ~~of California and representatives of the rice industry of~~
10 ~~California before approving the qualifications of any rice~~
11 ~~seed certification organization.~~

