

AMENDED IN ASSEMBLY AUGUST 7, 2000

AMENDED IN ASSEMBLY MAY 22, 2000

SENATE BILL

No. 2065

Introduced by Senator Costa

February 25, 2000

An act to amend Section 52456 of, and to add Article 5 (commencing with Section 491) to Chapter 3 of Part 1 of Division 1 of, the Food and Agricultural Code, relating to agriculture, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 2065, as amended, Costa. Agriculture.

Existing law generally sets forth various powers and duties of the Department of Food and Agriculture.

This bill would create the Biotechnology Task Force, which would be co-chaired by the Secretary of the California Health and Welfare Agency, the Secretary of the California Trade and Commerce Agency, and the Secretary of the California Department of Food and Agriculture. The task force would consult with *an advisory committee consisting of specified representatives. The task force would also be required to contract with the California Council on Science and Technology, as specified, which would be required to consult with various experts, professionals, and government representatives to evaluate specified issues surrounding the opportunities and risks of biotechnology products, and for the purpose of developing panels of experts.* The task force would be required to compile a report on the issues studied, findings,

basis for their findings, and recommendations to the *Governor and the Legislature* by January 1, 2002. This bill would appropriate ~~an unspecified sum of money~~ \$125,000 from the General Fund for the purposes of these provisions.

Existing law requires that certain seeds must bear on the label notice of the requirement to follow the conciliation or mediation dispute procedures governing disputes between labelers and authorized people.

This bill would add to the label the requirement to follow arbitration procedures.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Article 5 (commencing with Section
2 491) is added to Chapter 3 of Part 1 of Division 1 of the
3 Food and Agricultural Code, to read:

4
5 Article 5. Biotechnology Task Force

6
7 491. The Legislature finds and declares the following:

8 (a) Consumers have an interest in being informed
9 about the benefits and potential quantifiable risks to their
10 health from products they consume. ~~This interest in~~
11 ~~knowing about the opportunities and risks that new~~
12 ~~technology provides~~ *This information* must be grounded
13 in sound science, must use informative and effective
14 communications, and shall be consistent with other
15 production technologies.

16 ~~(b) Biotechnology offers many opportunities to~~
17 ~~advance the quality of life for Californians, people of the~~
18 ~~United States, and residents of the world. Recent~~
19 ~~advancements in biotechnology offer greater production~~
20 ~~efficiency and a more abundant and wholesome food~~
21 ~~supply that is grown in an environmentally sensitive~~
22 ~~manner.~~

23 (b) As new advances in biotechnology, *including*
24 *transgenic plants*, are developed, it is important to
25 understand the opportunities that new technologies offer



1 *to consumers, farmers, the livestock industry, food*
2 *processors, and the environment, as well as to evaluate*
3 *the potential risks.*

4 (c) Under the existing regulatory framework for
5 biotechnology, the United States Food and Drug
6 Administration has the federal authority to assure that
7 food and pharmaceutical development using
8 biotechnology protects public health, the United States
9 Environmental Protection Agency has the authority to
10 review environmental issues including bioengineered
11 pesticides, and the United States Department of
12 Agriculture has the responsibility to regulate the
13 introduction of genetically modified plants into the
14 agricultural environment. Careful review of existing
15 oversight responsibility helps in understanding the
16 regulatory framework governing the approval of
17 biotechnology products and will help clarify California's
18 role in the endeavor.

19 (d) California is the leading agricultural state in the
20 country, producing 350 commodities and farm gate
21 revenues totaling more than twenty-five billion dollars
22 (\$25,000,000,000) annually, of which over six billion
23 dollars (\$6,000,000,000) is exported. Support for
24 agricultural research based in sound science, and the
25 utilization of modern farming technologies is a key factor
26 leading to California's strong farm economy and its
27 competitive edge in the world market for agricultural
28 products.

29 492. (a) The Legislature hereby creates the
30 Biotechnology Task Force. The task force shall be
31 co-chaired by the Secretary of the California Health and
32 Welfare Agency, the Secretary of the California Trade
33 and Commerce Agency, and the Secretary of the
34 California Department of Food and Agriculture. The task
35 force shall consult with appropriate officials from the
36 State Department of Health Services, the Department of
37 Pesticide Regulation, the Department of Consumer
38 Affairs, the University of California, and other
39 appropriate agencies.



1 ~~(b) The task force shall bring together top scientists~~
2 ~~from divergent backgrounds, professional with expertise~~
3 ~~in the existing biotechnology regulatory framework,~~
4 ~~trade professional, environmental and agricultural~~
5 ~~scientists, and representatives from state and federal~~
6 ~~government to review and evaluate the issues~~
7 ~~surrounding the opportunities and risks of biotechnology~~
8 ~~products, and for the purpose of developing panels of~~
9 ~~experts. The task force may consult with the California~~
10 ~~Council on Science and Technology for scientific and~~
11 ~~technical expertise.~~

12 *(b) An advisory committee to the task force shall be*
13 *created to provide input on issues reviewed by the task*
14 *force. The advisory committee shall consist of*
15 *representatives from consumer groups, environmental*
16 *organizations, farmers, ranchers, representatives from*
17 *the biotech industry, researchers, organic farmers, food*
18 *processors, retailers, and others with interests in the issues*
19 *surrounding biotechnology. The advisory committee*
20 *shall be appointed by the task force co-chairs.*

21 *(c) The task force shall contract, where appropriate,*
22 *with the California Council on Science and Technology*
23 *to conduct independent scientific technical review and to*
24 *study the issues evaluated by the task force. The council*
25 *shall consult scientists from diverse backgrounds,*
26 *professionals with expertise in the existing biotechnology*
27 *regulatory framework, trade professionals,*
28 *environmental and agricultural scientists, and*
29 *representatives from state and federal government.*

30 *(c) The task force evaluation shall include, but not be*
31 *limited to, the following:*

32 *(1) Issues related to the handling, processing,*
33 *manufacturing, distribution, labeling, and marketing of*
34 *foods containing biotechnology products or ingredients.*

35 *(2) Existing federal—and, California and other state*
36 *regulatory programs governing the development,*
37 *introduction, consumption, and tracking of*
38 *biotechnology products from their approval for release to*
39 *monitoring their short- and long-term effects, including*
40 *the department's existing responsibilities to consult,*



1 review and comment on the United States Department
2 of Agriculture’s permitting process for research and
3 testing, and California Department of Pesticide
4 Regulation’s consultation with the United States
5 Environmental Protection Agency on bioengineered
6 pesticides.

7 (3) The consumer’s knowledge of ~~biotechnology crops~~
8 and the availability of current public information
9 resources regarding the use of biotechnology in
10 agriculture, pharmaceuticals, food processing, and health
11 services.

12 (4) Review issues surrounding the introduction of
13 biotechnology products into the environment.

14 (5) The potential opportunities and challenges
15 relating to international trade in biotechnology products.

16 (6) The definition and categorization of biotechnology
17 products.

18 ~~(7) A review and assessment of the economic impact~~
19 ~~of the state’s biotechnology industry.~~

20 ~~(8)~~

21 (7) A review and assessment of the current studies
22 concerning biotechnology and its potential effects on
23 health, food safety, environmental protection, and
24 agricultural production.

25 ~~(9)~~

26 (8) A review and assessment of other state and federal
27 efforts and proposals to supplement the existing federal
28 regulatory mechanism for biotechnology products.

29 (d) The task force shall compile a report on the issues
30 studied, findings, basis for their findings, and
31 recommendations to *the Governor and the Legislature*
32 ~~by January~~ *September 1, 2002.*

33 (e) The sum of ~~_____~~ *one hundred twenty-five*
34 *thousand* dollars ~~(\$_____)~~ *(\$125,000)* is hereby
35 appropriated from the General Fund for disbursement to
36 the task force to accomplish the purposes contained in
37 this article.

38 SEC. 2. Section 52456 of the Food and Agricultural
39 Code is amended to read:



1 52456. In addition to the labeling requirements of this
2 article, all seed, except seed at the time of sale by a retail
3 merchant for nonfarm use, shall conspicuously bear upon
4 the label adequate notice of the requirement to follow the
5 conciliation, mediation, or arbitration procedures
6 governing disputes between labelers and any person, as
7 authorized by this chapter, and the consequences of
8 failing to follow those procedures.

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