

AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 562

Introduced by Senator Florez

February 27, 2009

An act to amend Section ~~47001~~ 48001 of the Food and Agricultural Code, relating to agriculture.

LEGISLATIVE COUNSEL'S DIGEST

SB 562, as amended, Florez. ~~Agriculture: direct marketing. Citrus fruit crop: California Citrus Advisory Committee.~~

Existing law provides that there is in the Department of Food and Agriculture the California Citrus Advisory Committee, comprised as specified. The committee is required to develop and make recommendations to the Secretary of Food and Agriculture on all matters regarding the implementation of certain provisions relating to citrus, including, among others, procedures for implementing an inspection program that is to include certain features.

This bill would specify that procedures for implementing a citrus inspection program shall also include development of a communications program to inform producers and handlers of the requirements of the inspection program.

~~Existing law authorizes the Secretary of Food and Agriculture to adopt regulations to encourage the direct sale by farmers to the public of all types of California agricultural products, and provides that these regulations may include provisions to ensure that selling activities are conducted without fraud, deception, or misrepresentation.~~

~~This bill would make a technical, nonsubstantive change to those provisions.~~

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

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

1 SECTION 1. Section 48001 of the Food and Agricultural Code
2 is amended to read:
3 48001. (a) There is in the department the California Citrus
4 Advisory Committee.
5 (b) The committee shall be comprised as follows:
6 (1) Eight producers.
7 (A) Five producer members shall be engaged in the production
8 of navel or Valencia oranges; four of which shall be engaged in
9 the production of navel or Valencia oranges in the San Joaquin
10 Valley, and two of the four members shall be engaged in the
11 production of navel or Valencia oranges in Tulare County.
12 (B) Two producer members shall be engaged in the production
13 of lemons, one of which is engaged in the production of lemons
14 in Ventura County.
15 (C) One of the members shall be engaged in the production of
16 mandarin citrus.
17 (2) Four handlers, which have their principal place of business
18 located in one of the following counties: Fresno, Kern, Madera,
19 Orange, Riverside, San Bernardino, Santa Clara, Tulare, ~~and~~ or
20 Ventura.
21 (A) Two handler members shall be located in the San Joaquin
22 Valley.
23 (B) One handler member shall be engaged in the handling of
24 lemons in Ventura County.
25 (c) The committee shall be appointed by the secretary from
26 nominations submitted to the secretary by members of the navel
27 orange, Valencia orange, lemon, and mandarin citrus industries
28 group.
29 (d) Committee members may be compensated for reasonable
30 expenses actually incurred in the performance of their duties, as
31 determined by the committee and concurred in by the secretary.
32 (e) The committee shall meet at the request of the secretary, the
33 committee chairperson, or upon the request of three committee
34 members.

1 (f) The committee shall appoint a chairperson, one or more vice
2 chairpersons, and any other officers it deems necessary.

3 (g) The committee shall develop and make recommendations
4 to the secretary on all matters regarding the implementation of this
5 chapter including:

6 (1) Procedures for implementing an inspection program that
7 shall include, but not be limited to, the following:

8 (A) Mandatory hold for inspection prior to shipping, following
9 a citrus freeze.

10 (B) The minimum number of inspections to be conducted, and
11 the duration of each inspection period.

12 (C) The minimum number of samples to be taken.

13 (D) Statistical analysis of compliance levels and determination
14 of an acceptable level of compliance.

15 (E) Documentation of inspection data including the number of
16 inspectors, number of inspections performed, and budget
17 information relating to expenses of personnel, mileage, and
18 overhead costs.

19 (F) Monitoring and postevaluation of program effectiveness by
20 the secretary.

21 (G) Development of a single memorandum of understanding
22 between the department and all county agricultural commissioners
23 for the counties specified in subdivision (b).

24 *(H) Development of a communications program to inform*
25 *producers and handlers of the requirements of the inspection*
26 *program.*

27 (2) Determinations as to which counties have met the inspection
28 requirements.

29 (3) Procedures for implementing a state crop estimating and
30 acreage survey.

31 (h) The secretary shall accept the recommendations of the
32 committee if he or she determines that the recommendations are
33 practicable and in the interest of the industry and the public. The
34 secretary shall provide the committee within 30 days of receipt of
35 the recommendations with a written statement of reasons if he or
36 she does not accept any of the recommendations.

37 ~~SECTION 1. Section 47001 of the Food and Agricultural Code~~
38 ~~is amended to read:~~

1 ~~47001. (a) The secretary may adopt regulations to encourage~~
2 ~~the direct sale by farmers to the public of all types of California~~
3 ~~agricultural products.~~

4 ~~(b) The regulations may include provisions to ensure and~~
5 ~~maintain quality and wholesomeness of the products, and to ensure~~
6 ~~that the selling activities are conducted without fraud, deception,~~
7 ~~or misrepresentation.~~