

Department of Food and Agriculture

BUDGET NO. 8570

REPORT NO. 1

BUSINESS AND PROFESSIONS CODE

DIVISION 5. WEIGHTS AND MEASURES [12001. - 13800.]

(Division 5 added by Stats. 1939, Ch. 43.)

CHAPTER 2. Administration [12100. - 12246.]

(Chapter 2 added by Stats. 1939, Ch. 43.)

ARTICLE 1. State Administration [12100. - 12108.]

(Article 1 added by Stats. 1939, Ch. 43.)

12104.

(a) The department shall issue instructions and make recommendations to the county sealers, and the instructions and recommendations shall govern the procedure to be followed by these officers in the discharge of their duties.

(b) Instructions and recommendations which are made to insure statewide weights and measures protection shall include a local administration cost analysis utilizing data provided by the county sealer. The cost analysis shall identify the joint programs or activities for which funds necessary to maintain adequate county administration and enforcement have not been provided. The director shall develop, jointly with the county sealers, county priorities for the enforcement programs and activities of the director.

(c) The director shall, upon request, report to the Legislature his or her findings concerning the cost analysis with specific regard to programs where funds are inadequate for an efficient enforcement program, together with a listing of the priorities jointly established by the director and the county sealers that are contained in the formal instructions and recommendations.

(Amended by Stats. 1988, Ch. 343, Sec. 1.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-1576	Committee on Business, Professions and Economic Development	Professions and vocations.	Amended Assembly 06/11/2012	06/19/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 19). Re-referred to Com. on APPR.	Assembly-In Committee Process - Appropriations	Yes	Majority

COMMENTS/RECOMMENDATIONS:

According to the Department of Food and Agriculture, this report has not been relevant since counties were authorized to charge fees for registering weighing and measurement devices.

REPORT NO. 2 and 3

BUSINESS AND PROFESSIONS CODE

DIVISION 8. SPECIAL BUSINESS REGULATIONS [18400. - 22948.7.]

(Division 8 added by Stats. 1941, Ch. 44.)

CHAPTER 4. Horse Racing [19400. - 19668.]

(Chapter 4 repealed and added by Stats. 1959, Ch. 1828.)

ARTICLE 10. Revenue [19620. - 19642.1.]

(Article 10 added by Stats. 1959, Ch. 1828.)

19622.2.

(a) The authority of the Department of Food and Agriculture shall include, but is not limited to, requiring district agricultural associations to meet all applicable standards prescribed by the Department of Food and Agriculture.

(b) The department may delegate approval authority for such matters as the department may determine to the board of directors if the board complies with this section. The department shall report annually to the Joint Committee on Fairs Allocation and Classification the names of fairs that are delegated that authority.

(c) Notwithstanding any other law, and in order to protect the integrity of the Fair and Exposition Fund, the department may assume any or all rights, duties, and powers of the board of directors of a district agricultural association if the department reasonably determines that there is insufficient fiscal or administrative control. The board of directors shall again exercise these rights, duties, and powers when the department determines that the fair is in compliance with this section. The department shall report annually to the Joint Committee on Fairs Allocation and Classification the names of fairs with respect to which the department has taken the action prescribed in this subdivision and subdivision (d).

(d) The department may petition a court of competent jurisdiction for an order appointing the department, or a person designated by the department, as a receiver if it determines that the fair is insolvent, or is in imminent danger of insolvency. The court shall appoint a receiver upon a showing that the fair is insolvent, or is in imminent danger of insolvency.

(e) For the purposes of this section, “insolvency” means that the district agricultural association is unable to discharge its debts as they become due in the usual course of business.

(Added by renumbering Section 19622.3 by Stats. 2011, Ch. 2, Sec. 14. Effective March 24, 2011.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-95	Cmte. on Budget	Public resources.	Chaptered 03/24/2011	03/24/2011 - Chaptered by Secretary of State - Chapter 2, Statutes of 2011.	Secretary of State-Chaptered	Yes	Majority
AB-1587	Cmte. on Agriculture	Fairs.	Introduced 09/08/2009	02/02/2010 - Died at Desk.	Assembly-Died	Yes	Two Thirds
SB-972		CA Exposition & State Fair.	Chaptered 10/06/1997		-		
SB-1397		Horseracing: fairs: revenue.	Chaptered 09/30/1996		-		

COMMENTS/RECOMMENDATIONS: According to the Department, an annual report is unnecessary because unique delegations of authority to District Agricultural Associations have not been made and formal intervention has only been acted upon twice prior to 1998.

REPORT NO. 4

FOOD AND AGRICULTURE CODE-FAC

DIVISION 7. AGRICULTURAL CHEMICALS, LIVESTOCK REMEDIES, AND COMMERCIAL FEEDS [12500. - 15340.]

(Division 7 enacted by Stats. 1967, Ch. 15.)

CHAPTER 2. Pesticides [12751. - 13192.]

(Heading of Chapter 2 amended by Stats. 1996, Ch. 361, Sec. 26.)

ARTICLE 2.5. Agricultural Pest Control Research [12786. - 12798.6.]

(Article 2.5 added by Stats. 1984, Ch. 1593, Sec. 1.)

12794.5.

The department shall prepare an annual report of the research projects proposed, approved projects awarded, the status of ongoing research projects, the findings achieved from completed research projects, and the progress toward developing and implementing pest management alternatives in the state. The report shall be submitted annually to the Legislature, on or before February 1.

(Repealed and added by Stats. 1990, Ch. 1129, Sec. 23.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-4176		Pest control: pesticides: testing.	Chaptered 09/21/1990		-		

COMMENTS/RECOMMENDATIONS: The Exotic Pest Research Program is no longer in existence due to General Fund budget cuts in FY 2002-03.

REPORT NO. 5

FOOD AND AGRICULTURE CODE

DIVISION 20. PROCESSORS, STORERS, DEALERS, AND DISTRIBUTORS OF AGRICULTURAL PRODUCTS [54001. - 57700.]

(Division 20 enacted by Stats. 1967, Ch. 15.)

CHAPTER 2. Cooperative Bargaining Associations [54401. - 54463.]

(Chapter 2 enacted by Stats. 1967, Ch. 15.)

ARTICLE 3. Annual Report [54442. - 54447.]

(Article 3 added by Stats. 2005, Ch. 613, Sec. 2.)

54446.

(a) The advisory committee shall prepare and submit a report to the secretary who, in turn, shall report to the Legislature on the effectiveness of subdivisions (a) and (e) of Section 54431 in successfully aiding the bargaining process between processors and cooperative bargaining associations. The secretary shall include any recommended changes to subdivisions (a) and (e) of Section 54431 as part of the report.

(b) After receiving the report, the Assembly Committee on Agriculture and the Senate Committee on Agriculture may hold hearings on the report.

(c) The report shall, among other things, focus on any specific abuses of subdivisions (a) and (e) of Section 54431.

(d) Annual progress reports on the report shall be submitted by the advisory committee to the secretary.

(Added by Stats. 2005, Ch. 613, Sec. 2. Effective January 1, 2006.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1061	Committee on Agriculture	Agriculture omnibus changes.	Chaptered 10/06/2005	10/06/2005 - Chaptered by Secretary of State - Chapter 613, Statutes of 2005. 10/06/2005 - Approved by the Governor.	-	Yes	Majority

COMMENTS/RECOMMENDATIONS: According to the Department, the report to the Legislature has been completed and annual progress reports are only due to the Secretary. The Legislature may wish to ask the Department about the status of the advisory committee.

REPORT NO. 6

FOOD AND AGRICULTURE CODE-FAC

DIVISION 21. MARKETING [58001. - 63129.]

(Division 21 enacted by Stats. 1967, Ch. 15.)

PART 1. GENERAL PROVISIONS [58001. - 58591.]

(Part 1 enacted by Stats. 1967, Ch. 15.)

CHAPTER 6. Foreign Marketing [58551. - 58591.]

(Chapter 6 added by Stats. 1985, Ch. 1189, Sec. 2.)

ARTICLE 4. Reporting [58591. - 58591.]

(Heading of Article 4 amended by Stats. 1993, Ch. 589, Sec. 66.)

58591.

On or before December 31 of every odd-numbered year, the director shall report to the chairpersons of the policy committees which have the appropriate subject matter jurisdiction in the Assembly and the Senate, as determined by the respective rules committees, on the status of this chapter. The report shall include an assessment of the act's ability to create, maintain, or increase exports of California agricultural commodities.

(Amended by Stats. 1990, Ch. 100, Sec. 7. Effective May 18, 1990.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
AB-1938		Agriculture: marketing.	Chaptered 05/18/1990		-		

COMMENTS/RECOMMENDATIONS: According to the Department of Food and Agriculture, funding for the Foreign Market Development Export Incentive Program was eliminated in Fiscal Year 2005/06 and the last report submitted was in 1992.

REPORT NO. 7

FOOD AND AGRICULTURE CODE

DIVISION 21. MARKETING [58001. - 63129.]

(Division 21 enacted by Stats. 1967, Ch. 15.)

PART 2. GENERAL MARKETING LAWS [58601. - 60016.]

(Part 2 enacted by Stats. 1967, Ch. 15.)

CHAPTER 1. California Marketing Act of 1937 [58601. - 59293.]

(Chapter 1 enacted by Stats. 1967, Ch. 15.)

ARTICLE 5. Marketing Orders and Agreements [58741. - 58750.]

(Article 5 enacted by Stats. 1967, Ch. 15.)

58750.

(a) There is within the Department of Food and Agriculture a public and private collaboration known as the "Buy California Program." The purposes of the program are to encourage consumer nutritional and food awareness and to foster purchases of high-quality California agricultural products.

(b) Pursuant to Section 58749, and in accordance with the provisions of this chapter, the secretary may issue and make effective a marketing agreement and be advised by those elements of the production agriculture and food processing industry willing to participate in the program via co-funding or in-kind contributions in a manner defined under the agreement.

(c) The department shall report to the Legislature on January 1, 2002, and each successive January 1 while this section is operative, regarding its expenditures, progress, and ongoing priorities with this program.

(d) The Buy California Account is created in the Food and Agriculture Fund and, notwithstanding Section 13340 of the Government Code, is continuously appropriated for purposes of this section.

(Added by Stats. 2001, Ch. 118, Sec. 3.5. Effective July 30, 2001.)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-742	Escutia	Fiscal affairs.	Chaptered 07/30/2001	07/30/2001 - Chaptered by Secretary of State. Chapter 118, Statutes of 2001.	-		

COMMENTS/RECOMMENDATIONS: According to the Department of Food and Agriculture, the specialty crop block grant program provided by the Buy California Program has ended.

REPORT NO. 8

BUSINESS AND PROFESSIONS CODE

13631. (Code Section not found) Fuel Temperature Study

COMMENTS/RECOMMENDATIONS:

This report was completed and submitted in 2009 and no longer exists in statute. No action is necessary.

REPORT NO. 9.

BUSINESS AND PROFESSIONS CODE- BPC

12029. (Reporting requirements not found in Code Section)

Bill	Lead Authors	Subject	Latest Bill Version	Last History Action	Status	Fiscal Committee	Vote Required
SB-189		Weights and measures.	Chaptered 09/25/1997		-		
SB-1191	Speier	State and local reporting requirements.	Chaptered 10/12/2001	10/12/2001 - Chaptered by Secretary of State. Chapter 745, Statutes of 2001.	-		

COMMENTS/RECOMMENDATIONS: None