

FOOD AND AGRICULTURAL CODE - FAC

DIVISION 1. STATE ADMINISTRATION [101 - 1501]

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

PART 1. THE DEPARTMENT OF FOOD AND AGRICULTURE [101 - 894]

(Heading of Part 1 amended by Stats. 1976, Ch. 1079.)

CHAPTER 3. Other Powers and Duties [401 - 588]

(Chapter 3 enacted by Stats. 1967, Ch. 15.)

ARTICLE 1. General Provisions [401 - 412]

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

401.

The department shall promote and protect the agricultural industry of the state.

(Enacted by Stats. 1967, Ch. 15.)

401.5.

The department shall also seek to enhance, protect, and perpetuate the ability of the private sector to produce food and fiber in a way that benefits the general welfare and economy of the state. The department shall also seek to maintain the economic well-being of agriculturally dependent rural communities in this state.

(Added by Stats. 1994, Ch. 542, Sec. 1. Effective January 1, 1995.)

402.

The department shall prevent fraud and deception in any of the following:

(a) Packing or labeling, or in any phase of the marketing, of any agricultural product which is governed by this code.

(b) Labeling and marketing of any commodity that is governed by this code, which is sold to producers for use in the production of crops.

(Amended by Stats. 1967, Ch. 10.)

403.

The department shall prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds.

(Enacted by Stats. 1967, Ch. 15.)

404.

The department shall execute the provisions of this code, except as otherwise provided, and of other laws administered by it.

(Enacted by Stats. 1967, Ch. 15.)

405.

(a) With the prior approval of the Department of Fish and Wildlife and the State Department of Public Health, the department may reproduce or distribute biological control organisms that are not detrimental to the public health and safety that are known to be useful in reducing or preventing plant or animal damage due to pests or diseases.

(b) The department shall not engage in the production of beneficial organisms when those organisms are available in sufficient amounts for purchase from commercial sources.

(Amended by Stats. 2015, Ch. 374, Sec. 1. (AB 862) Effective January 1, 2016.)

406.

The department shall require reports from commissioners.

(Enacted by Stats. 1967, Ch. 15.)

407.

The director may adopt such regulations as are reasonably necessary to carry out the provisions of this code which he is directed or authorized to administer or enforce.

(Enacted by Stats. 1967, Ch. 15.)

408.

The director may enter upon any premises to inspect the premises or any plant, appliance, or thing which is on such premises.

(Enacted by Stats. 1967, Ch. 15.)

409.

(a) Notwithstanding any other law, the department by rule or regulation may provide for the issuance and renewal on a two-year basis of licenses, certificates of registration, or other indicia of authority issued pursuant to this code by the department or any division, office, or other entity within the department.

(b) The department may, by rule or regulation, set the fee for a two-year license, certificate of registration, or other indicia, not to exceed twice the annual fee for issuance or renewal set by statute.

(Amended by Stats. 2015, Ch. 374, Sec. 2. (AB 862) Effective January 1, 2016. Note: See this section as modified on July 17, 1991, in Governor's Reorganization Plan No. 1 of 1991.)

410.

It is the intent of the Legislature that the Department of Food and Agriculture, in cooperation with appropriate county officials and industry representatives, develop mutually satisfactory sources of nonstate funding to augment budget programs in the areas of county agricultural commissioners and county sealers of weights and measures.

(Amended by Stats. 2015, Ch. 374, Sec. 3. (AB 862) Effective January 1, 2016.)

411.

(a) The Department of Food and Agriculture shall supply the Department of Water Resources with a forecast that estimates the amount of production of food, fiber, livestock, and other farm products.

(b) As part of the forecast, the Department of Food and Agriculture's assumptions shall be based upon 20-year estimates that include, but are not limited to, the following data:

(1) Land use conversion rates and the amount of land available for agricultural production.

(2) The growing need for food, fiber, livestock and other farm products as the state's and the nation's populations grow.

(3) Implementation of irrigation technology and other on-farm water conservation measures.

(4) Advances in crop yields and production techniques.

(5) Alternate uses of crops.

(c) The department shall include an additional table in the forecast that estimates the agricultural water needs based upon food security considerations that include, at a minimum, the following:

(1) Population growth estimates.

(2) Production of farm products sufficient to feed the state's population, as well as continue to provide at least 25 percent of the nation's table food.

(3) Production necessary to meet the growth in export markets.

(d) To the extent feasible, the Department of Food and Agriculture may cooperate with the Department of Finance, the University of California, and other institutions and organizations in obtaining information for the forecasts.

(e) The Department of Food and Agriculture shall furnish the forecast to the Department of Water Resources for estimating related water usage, as well as to the Chairs of the Assembly Committee on Agriculture, the Assembly Committee on Water, Parks, and Wildlife, and the Senate Committee on Agriculture and Water Resources. The Department of Water Resources shall include this information in Bulletin 160.

(Added by Stats. 2002, Ch. 615, Sec. 2. Effective January 1, 2003.)

412.

(a) The Legislature finds and declares that a diversity of dairy methane management practices, including anaerobic digesters and nondigester dairy

methane management strategies, can effectively reduce greenhouse gas emissions. Nondigester dairy methane management strategies include, but are not limited to, scrape conversion, open solar drying and composting of manure onsite, conversion of dairy operations to pasture-based management, and solid separation technologies.

(b) For purposes of this section, the following terms have the following meanings:

(1) "Conversion of dairy operations to pasture-based management" means dairying systems where the dairy cows spend a portion of their time grazing on fields in which some or all of the manure is deposited and left in the field and decomposes aerobically, which avoids methane emissions.

(2) "Open solar drying and composting of manure onsite" means the collection, storage, and drying of dairy manure in a nonliquid environment.

(3) "Scrape conversion" means the conversion of flush water lagoon systems to solid-scrape or dry manure management practices, including vacuum technologies for manure management.

(4) "Solid separation technologies" means technologies designed to separate liquid components of manure from minerals and organic components, for the purposes of reducing methane emissions.

(Added by Stats. 2016, Ch. 368, Sec. 2. (SB 859) Effective September 14, 2016.)

ARTICLE 2. Services [431 - 436]

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

431.

The department shall collect and preserve books, pamphlets, periodicals, and other documents which contain information that relates to agriculture.

(Enacted by Stats. 1967, Ch. 15.)

432.

The department shall collect and prepare statistics, charts, films, photographs, and other illustrative or exhibit material and information which shows the actual condition and progress of agriculture in this state and elsewhere.

(Enacted by Stats. 1967, Ch. 15.)

433.

The department shall correspond with agricultural societies, colleges, schools, the commissioners, and with all other persons who are necessary to secure the best results to agriculture in this state.

(Enacted by Stats. 1967, Ch. 15.)

434.

The department shall issue and cause to be printed and distributed to the commissioners, and to such other persons as it may deem proper, bulletins, charts, photographs or other illustrative material or statements which contain all the information which is best adapted to advance the interest, business, and development of agriculture in the state. The department may broadcast such portions of the illustrative material or statements as are adapted to give effect to this code. It may exhibit or display such data and material as have been collected or prepared, and may incur expenses which are necessarily incidental to the exhibit or display of such data and material.

(Amended by Stats. 1967, Ch. 26.)

435.

The director may establish an identification record service for parent root and top stock of fruit and nut trees. He shall establish a reasonable schedule of fees for such service which is based upon the approximate cost of the service. Upon application of any person and the payment of the proper fees, the director shall assign to parent stock an identifying code number and make an appropriate record of such number.

(Enacted by Stats. 1967, Ch. 15.)

436.

Any money which is received by the department pursuant to Section 435 shall be paid into the State Treasury and be credited to the Department of Food and Agriculture Fund. Any money in the Department of Food and Agriculture Fund which was derived pursuant to that section may be expended for the administration and enforcement of any or all of the following which relate to nursery stock, notwithstanding any other provision of law which limits the expenditure of the money to some specific purpose or to the administration or enforcement of some specific section, article, chapter, or law:

(a) Section 435.

(b) Article 7 (commencing with Section 5821) of Chapter 8 of Part 1 of Division 4.

(c) Chapter 1 (commencing with Section 6701) of Part 3 of Division 4.

(d) Any other provision of Division 4 (commencing with Section 5001), which relates to nursery stock, except Article 5 (commencing with Section 6001) of Chapter 9 or Chapter 10 (commencing with Section 6101) of Part 1, Part 5 (commencing with Section 8401), or Part 6 (commencing with Section 8801) of Division 4.

(e) Chapter 5 (commencing with Section 53301) of Division 18.

(Amended by Stats. 1984, Ch. 144, Sec. 33.)

ARTICLE 3. Surveys and Investigations [461 - 462]

(Article 3 enacted by Stats. 1967, Ch. 15.)

461.

The department may conduct surveys or investigations of any nursery, orchard, vineyard, agricultural commodity, agricultural appliance, farm, or other premises within the state liable to be infested or infected with any pest as defined in Section 5006 or disease, including any infectious, transmissible, and contagious diseases of livestock and poultry, for the purpose of detecting the presence of, or determining the status of, the pest or disease. The director and the county agricultural commissioner shall consult concerning these surveys or investigations and in the conduct or implementation of any control or eradication activity when the provisions of this code provide joint responsibilities in connection with the pest or disease.

(Amended by Stats. 1982, Ch. 529, Sec. 1.)

462.

The director may enter into an agreement with one or more organizations representing growers, shippers, manufacturers of agricultural commodities, nonprofit trade associations whose members market agricultural commodities, federal or state marketing order boards, and state commissions which are organized pursuant to this code, operate in California, and actively engage in the marketing of agricultural commodities, whereby research will be conducted by public or private agencies to determine methods, techniques, or criteria for agricultural commodities to qualify for entrance into foreign markets. The agreement shall specify that the state will provide up to 50 percent of the funds necessary for the research and the other parties to the agreement will provide an amount equal to or greater than that provided by the state. State funds shall be available for expenditure for the purposes of this section upon appropriation therefor in the Budget Act or other statute.

(Amended by Stats. 1987, Ch. 1152, Sec. 1.)

ARTICLE 4. Intergovernmental Cooperation [481 - 486]

(Article 4 enacted by Stats. 1967, Ch. 15.)

481.

(a) The department may, with the approval of the Governor, cooperate with officials of the United States Department of Agriculture or with officials of other states in the conduct of pest or disease investigations outside of this state in the interest of the protection of the agricultural industry of this state from any pest or disease which is not generally distributed in this state.

(b) The department may enter into cooperative agreements with the United States Department of Agriculture to carry out a program for the prevention and control of avian influenza. The department shall, in accordance with the Administrative

Procedure Act, adopt any regulations necessary to implement program requirements set out in the agreement.

(Amended by Stats. 2011, Ch. 296, Sec. 104. (AB 1023) Effective January 1, 2012.)

482.

(a) The director may enter into cooperative agreements with individuals, associations, boards of supervisors, and with departments, divisions, bureaus, boards, or commissions of this state or of the United States for the purpose of eradicating, controlling, or destroying any infectious disease or pest within this state.

(b) The director may enter into cooperative agreements with boards of supervisors or commissioners for the purpose of administering and enforcing this code.

(c) The director may enter into cooperative agreements with boards of supervisors and commissioners for the purpose of administering and enforcing any activity, duty, or responsibility under this code in addition to those activities, duties, or responsibilities specifically designated or authorized to be carried out by the commissioners. The cooperative agreement shall provide for payment to the county or commissioner for the county's or the commissioner's performance under the agreement except where payment is provided for elsewhere in this code. Where this code requires the director to perform an activity, duty, or responsibility, an agreement entered into under this subdivision does not relieve the director of ultimate responsibility for that performance.

(Amended by Stats. 1983, Ch. 242, Sec. 1. Note: See this section as modified on July 17, 1991, in Governor's Reorganization Plan No. 1 of 1991.)

483.

The director may arrange for the services of any individual employed by the United States, the state, or a county on a collaborative basis and allow him a reasonable fee and necessary expenses which are incurred when serving the department in a collaborative capacity.

(Enacted by Stats. 1967, Ch. 15.)

484.

The director may enter into cooperative agreements with departments, divisions, bureaus, boards, or commissions of the United States for the purpose of administering meat or poultry meat inspection programs to protect the public from uninspected, adulterated, or misbranded meat and poultry meat and products thereof.

(Added by Stats. 1968, Ch. 393.)

485.

(a) The secretary may enter into cooperative agreements with private entities, and with boards, bureaus, commissions, or departments of this state or of the United States, for the purpose of administering compensation, conservation, disaster assistance, economic assistance, education, environmental enhancement, indemnification, market promotion, research, and similar programs that promote and enhance agriculture.

(b) Upon appropriation by the Legislature, the secretary may receive and expend federal funds and any nonstate matching funds made available to the department for the purposes specified above via grant, interagency agreement, or otherwise, and these funds shall be administered in accordance with Section 221.

(c) (1) Grant awards shall be made by the department on a competitive basis established by the department wherever possible.

(2) Any grant awarded on an alternative basis that is not competitive shall comply with all applicable state requirements, orders, and guidelines.

(3) Decisions of the secretary relating to the award of grants shall be final.

(d) Procedures, forms, and guidelines established for these grant programs, including the application process, are exempt from Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(e) If the secretary expends funds or awards grants for the study of protocols for crops to meet standards for transport out of a quarantine area, the following shall apply:

(1) Primary consideration shall be given to crops that are most at risk from the imposition of a quarantine and for which protocols do not currently exist, as long as the application otherwise meets reasonable scientific standards.

(2) The department may consult with individuals or representatives of the agriculture industry, and academic or scientific individuals, or organizations to establish criteria and assist in the recommendation of any expenditure of funds or the award of grants.

(Amended by Stats. 2003, Ch. 414, Sec. 1. Effective January 1, 2004.)

486.

Notwithstanding Section 482, the secretary may not enter into a cooperative agreement with a county of the first class, as defined in Section 28022 of the Government Code, for agricultural inspector services, if the cooperative agreement requires that the county provide year-round services, unless not less than 66 percent of the agricultural inspector aides and not less than 75 percent of the agricultural inspector associates not afforded protections as permanent employees employed under the cooperative agreement are afforded protections as permanent employees under the county's civil service or other personnel system.

(Amended by Stats. 2014, Ch. 588, Sec. 1. (AB 1175) Effective January 1, 2015.)

ARTICLE 4.5. Food Biotechnology Task Force [491 - 492]

(Heading of Article 4.5 renumbered from Article 5 (as added by Stats. 2000, Ch. 589, Sec. 1) by Stats. 2015, Ch. 303, Sec. 170.)

491.

The Legislature finds and declares the following:

(a) Consumers have an interest in being informed about the benefits and potential quantifiable risks to their health from products they consume. This information must be grounded in sound science, must use informative and effective communications, and shall be consistent with other production technologies.

(b) As new advances in biotechnology, including transgenic plants, are developed, it is important to understand the opportunities that new technologies offer to consumers, farmers, the livestock industry, food processors, and the environment, as well as to evaluate the potential risks.

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

(d) California is the leading agricultural state in the country, producing 350 commodities and farm gate revenues totaling nearly twenty-seven billion dollars (\$27,000,000,000) annually, of which nearly seven billion dollars (\$7,000,000,000) is exported. Support for agricultural research based in sound science, and the utilization of modern farming technologies is a key factor leading to California's strong farm economy and its competitive edge in the world market for agricultural products.

(Added by Stats. 2000, Ch. 589, Sec. 1. Effective January 1, 2001.)

492.

(a) The Legislature hereby creates the Food Biotechnology Task Force. The task force shall be cochaired by the Secretary of California Health and Human Services, and the Secretary of the California Department of Food and Agriculture. The task force shall consult with appropriate state agencies and the University of California. The Department of Food and Agriculture shall be the lead agency.

(b) An advisory committee shall be appointed by the task force to provide input on issues reviewed by the task force. The advisory committee shall consist of representatives from consumer groups, environmental organizations, farmers, ranchers, representatives from the biotechnology industry, researchers, organic farmers, food processors, retailers, and others with interests in the issues surrounding biotechnology.

(c) The Department of Food and Agriculture shall make funds available to other agencies to accomplish the purposes of this article and shall contract, where appropriate, with the California Council on Science and Technology, the University

of California, or other entities to review issues evaluated by the task force or support activities of the advisory committee.

(d) The task force may request particular agencies to lead the effort to evaluate various factors related to food biotechnology. As funding becomes available, the task force shall evaluate factors including all of the following:

(1) Definition and categorization of food biotechnology and production processes.

(2) Scientific literature on the subject, and a characterization of information resources readily available to consumers.

(3) Issues related to domestic and international marketing of biotechnology foods such as the handling, processing, manufacturing, distribution, labeling, and marketing of these products.

(4) Potential benefits and impacts to human health, the state's economy, and the environment accruing from food biotechnology.

(5) Existing federal and state evaluation and oversight procedures.

(e) An initial sum of one hundred twenty-five thousand dollars (\$125,000) is hereby appropriated from the General Fund for disbursement to the Department of Food and Agriculture. It is the intent of the Legislature to make further funds available to accomplish the purposes contained in this article.

(Amended by Stats. 2011, Ch. 97, Sec. 2. (AB 222) Effective January 1, 2012.)

ARTICLE 5. Sustainable Agriculture [500 - 501]

(Article 5 added by Stats. 2000, Ch. 670, Sec. 2.)

500.

Pursuant to subdivision (d) of Section 821, it is the intent of the Legislature that programs at the University of California designed to promote research on, and facilitate adoption of, sustainable agricultural practices, including, but not limited to, research, teaching, and outreach in the areas of sustainable farming systems, biologically integrated farming systems, organic agriculture, small farms, agroecology systems, biointensive integrated pest management, and biological pest control shall be adequately funded through the annual budget process to ensure the programs' ongoing ability to respond to the needs of all sectors of California's agricultural industry. It is the further intent of the Legislature that the sustainable agricultural practices, methods, and materials identified and developed by these programs be incorporated into appropriate programs of the state and the university to maximize the access of California farmers and ranchers to the information needed to adopt and implement these measures.

(Added by Stats. 2000, Ch. 670, Sec. 2. Effective January 1, 2001.)

501.

Pursuant to Section 500 and subdivision (d) of Section 821, the Legislature requests that the Regents of the University of California do both of the following:

(a) Provide adequate and ongoing funding to programs at the University of California designed to promote research on, and facilitate adoption of, sustainable agricultural practices, including, but not limited to, research, teaching, and outreach

in the areas of sustainable farming systems, biologically integrated farming systems, organic agriculture, small farms, agroecology systems, biointensive integrated pest management, and biological pest control to ensure the programs' ongoing ability to respond to the needs of all sectors of California's agricultural industry.

(b) Fully incorporate the sustainable agricultural practices, methods, and materials identified and developed by the programs enumerated in this article into all appropriate programs of the university to ensure that California farmers and ranchers have maximum access to the information needed to adopt and implement these measures.

(Added by Stats. 2000, Ch. 670, Sec. 2. Effective January 1, 2001.)

ARTICLE 6. Farmer Equity Act of 2017 [510 - 514]

(Article 6 added by Stats. 2017, Ch. 620, Sec. 1.)

510.

This article shall be known, and may be cited, as the Farmer Equity Act of 2017.

(Added by Stats. 2017, Ch. 620, Sec. 1. (AB 1348) Effective January 1, 2018.)

511.

(a) The Legislature finds and declares all of the following:

(1) California recognizes the importance of investing in the long-term prosperity of our food and farming system, starting with our farmers.

(2) Farmers of color have historically not had equitable access to land and other resources necessary to conduct farming in California, and that legacy of prejudice persists.

(3) Female farmers represent less than a quarter of all farmers in the state. Only 2 percent of California farmers are women of color, according to the United States Department of Agriculture Census of Agriculture.

(4) Socially disadvantaged farmers and ranchers tend to farm fewer acres but have a greater diversity of crops in California.

(5) According to the United States Department of Agriculture Census of Agriculture, on average, socially disadvantaged farmers and ranchers in California receive less in federal payments than their White counterparts and also earn less.

(6) Despite the barriers, an increasing number of socially disadvantaged farmers and ranchers are attempting to farm throughout California, across rural and urban settings.

(7) Existing federal agricultural policies have failed to provide sufficient and appropriate technical assistance and financial support, including farmer cooperative creation, for socially disadvantaged farmers and ranchers.

(b) It is therefore the intent of the Legislature that the secretary should support socially disadvantaged farmers and ranchers and include this support in the department's vision and its relevant policies.

(Added by Stats. 2017, Ch. 620, Sec. 1. (AB 1348) Effective January 1, 2018.)

512.

For purposes of this article, the following terms have the following meanings:

- (a) "Secretary" refers to the Secretary of Food and Agriculture.
- (b) "Socially disadvantaged farmer or rancher" means a farmer or rancher who is a member of a socially disadvantaged group.
- (c) "Socially disadvantaged group" means a group whose members have been subjected to racial, ethnic, or gender prejudice because of their identity as members of a group without regard to their individual qualities. These groups include all of the following:
 - (1) African Americans.
 - (2) Native Indians.
 - (3) Alaskan Natives.
 - (4) Hispanics.
 - (5) Asian Americans.
 - (6) Native Hawaiians and Pacific Islanders.
- (d) "Urbanized area," as used by the United States Census Bureau, refers to a population of at least 50,000 people.

(Added by Stats. 2017, Ch. 620, Sec. 1. (AB 1348) Effective January 1, 2018.)

513.

- (a) The department shall ensure the inclusion of socially disadvantaged farmers and ranchers, including socially disadvantaged farmers and ranchers in urbanized areas, in the development, adoption, implementation, and enforcement of food and agriculture laws, regulations, and policies and programs.
- (b) The secretary shall create a position within the department's executive office to support the efforts of this section and Section 514. The person appointed to that position shall report to the secretary.
- (c) The department shall do all of the following:
 - (1) Consult with the Secretaries of the California Environmental Protection Agency, the Natural Resources Agency, the Business, Consumer Services, and Housing Agency, and the California Health and Human Services Agency, and all other interested members of the public and private sectors of the state on opportunities for socially disadvantaged farmers and ranchers and to coordinate state programs.
 - (2) Disseminate information regarding opportunities provided by, including, but not limited to, the United States Department of Agriculture, the United States Environmental Protection Agency, the General Accounting Office, the Office of Management and Budget, and other federal agencies for socially disadvantaged farmers and ranchers.
 - (3) Evaluate boards, committees, commissions, and advisory panels created pursuant to this code for opportunities for inclusion of socially disadvantaged farmers and ranchers, except those established pursuant to Article 8 (commencing with Section 58841) of Chapter 1 of Part 2 of Division 21, Article 7 (commencing with Section 59721) of Chapter 2 of Part 2 of Division 21, and Division 22 (commencing with Section 63901).

(Added by Stats. 2017, Ch. 620, Sec. 1. (AB 1348) Effective January 1, 2018.)

[514.](#)

(a) On or before January 1, 2020, the department shall submit a report to the Governor and the Legislature on efforts to serve socially disadvantaged farmers and ranchers and all female farmers and ranchers in California. The report shall include recommendations to the Governor and the Legislature on how to improve processes to include socially disadvantaged farmers and ranchers.

(b) The report to be submitted to the Legislature pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(Added by Stats. 2017, Ch. 620, Sec. 1. (AB 1348) Effective January 1, 2018.)

ARTICLE 7. Poultry and Livestock Diagnostic Laboratories [520 - 531]

(Heading of Article 7 renumbered from Article 6 (as added by Stats. 1982, Ch. 1536) by Stats. 1984, Ch. 144, Sec. 35.)

[520.](#)

“University,” as used in this article, means the University of California.

(Added by Stats. 1982, Ch. 1536, Sec. 4.)

[521.](#)

It is the intent of the Legislature that the department contract with the Regents of the University of California to operate poultry and livestock disease laboratories pursuant to this article. The central laboratory should be located next to the facilities of the Veterinary Medical Teaching Hospital of the University of California at Davis, in order to take advantage of the expertise of the veterinary specialists.

(Added by Stats. 1982, Ch. 1536, Sec. 4.)

[522.](#)

When a central diagnostic laboratory constructed on the Davis campus of the university is ready for occupancy, the director shall contract with the Regents of the University of California for its School of Veterinary Medicine to establish and operate the California Animal Health and Food Safety Laboratory. The system shall be headed by a director appointed by the Dean of the School of Veterinary Medicine under applicable university hiring rules. The system shall test, examine, and make diagnoses of infectious, nutritional, toxic, metabolic, and other diseases of domestic animals.

(Amended by Stats. 2000, Ch. 1082, Sec. 114. Effective January 1, 2001.)

[523.](#)

The contract executed pursuant to this article shall provide that the university maintain sufficient numbers of laboratories to perform the functions contained in this article. The central diagnostic laboratory shall be established on the Davis

campus of the university, and branch laboratories shall be operated as long as these services are best performed at a branch laboratory, considering the cost and quality of services.

(Amended by Stats. 1992, Ch. 706, Sec. 3. Effective September 15, 1992.)

524.

(a) A central diagnostic laboratory building to be constructed on the Davis campus of the university adjacent to the facilities of the Veterinary Medical Teaching Hospital, together with the equipment necessary for a modern veterinary diagnostic laboratory, is hereby specifically authorized. The department may include a request for physical facilities planning and working drawings funds in its 1983–84 budget request and for construction funds in the 1984–85 budget request. The funds may be transferred, as appropriate, to the university for planning, working drawings, and construction. Title to the facility shall vest in the Regents of the University of California, and the facility shall be dedicated for use as a veterinary diagnostic laboratory so long as it is needed for that purpose.

(b) Prior to completion of construction of a central diagnostic laboratory on the Davis campus of the university, the director may continue to provide interim laboratory services and to contract with the university for diagnostic services which can be rendered more effectively by the university. In order to assure the orderly transfer of the veterinary diagnostic program from the department to the university, a Transition Veterinary Diagnostic Laboratory Administrative Committee is established. The committee shall consist of the director or his or her designee, who will serve as chairman, the Dean of the School of Veterinary Medicine or his or her designee who will serve as assistant chairman, and two additional members, one appointed by the director and one by the dean. The committee shall advise the department and the university on the operation of the laboratories during the period prior to the diagnostic laboratory system being fully transferred from the department to the university.

(Added by Stats. 1982, Ch. 1536, Sec. 4.)

525.

After the contract has been executed pursuant to Section 521, the diagnostic functions of the regional laboratories maintained at Petaluma and Sacramento shall be transferred to other laboratories in the system and those two laboratories shall be closed.

(Added by Stats. 1982, Ch. 1536, Sec. 4.)

526.

The contract shall provide that the university, in consultation with the department, shall establish a schedule of fees to help defray the cost of operation of the laboratories.

(Added by Stats. 1982, Ch. 1536, Sec. 4.)

527.

The contract shall provide for all of the following services which, when included in the department's budget, shall be provided without charge:

- (a) Services performed in the course of a department-approved investigation of an animal health problem.
- (b) Department-approved services provided to regulatory agencies.

(Added by Stats. 1982, Ch. 1536, Sec. 4.)

528.

The contract shall specify the accounting procedures to be used and any reports necessary to assure compliance with state and university requirements.

(Added by Stats. 1982, Ch. 1536, Sec. 4.)

529.

It is intended that the contractual arrangement between the university and the department be of long-term duration. The department's budget for the laboratories shall be reviewed annually.

A Veterinary Diagnostic Laboratory Board is hereby established, consisting of representatives of the livestock and poultry industries and practicing veterinarians who utilize the laboratory service. It shall be appointed by the director in consultation with the Dean of the School of Veterinary Medicine. The Chief of the Bureau of Animal Health of the department, the Assistant Area Veterinarian in Charge for California for the United States Department of Agriculture, and the director of the California Animal Health and Food Safety Laboratory created by this article shall be ex officio members. The board shall advise the university and the department on all aspects of the operation of the laboratories.

(Amended by Stats. 2000, Ch. 1082, Sec. 115. Effective January 1, 2001.)

530.

A member of the Veterinary Diagnostic Laboratory Board is entitled to be paid his or her actual expenses which are incurred while engaged in performing his or her duties that are authorized by this article.

(Added by Stats. 1982, Ch. 1536, Sec. 4.)

531.

The budget for the California Animal Health and Food Safety Laboratory shall be established as a line item in the budget of the department. The operating budget requests shall be submitted annually, and requests for funding of construction of facilities and special items of laboratory equipment which cost over one hundred fifty thousand dollars (\$150,000) shall be submitted when required. The director

shall transfer funds appropriated for operation of the laboratories, for equipment, and for construction of facilities to the university to be managed according to university rules and regulations, and in accordance with the contract between the department and the university.

(Amended by Stats. 2000, Ch. 1082, Sec. 116. Effective January 1, 2001.)

ARTICLE 8. Sustainable Agriculture [550 - 555]

(Article 8 added by Stats. 2010, Ch. 200, Sec. 1.)

550.

This article shall be known and may be cited as the Sustainable Agriculture Research and Education Act of 1986.

(Added by Stats. 2010, Ch. 200, Sec. 1. (AB 1891) Effective January 1, 2011.)

551.

The Legislature finds and declares all of the following:

(a) There is a growing movement in California and the nation to change farming techniques by adopting more resource-conserving, energy-efficient systems of agriculture. The objective of these changes is to produce agricultural products that may reduce the use of petrochemicals, improve means of biological pest management, improve soil productivity, improve erosion control, and improve irrigation, cultivation, and harvesting techniques.

(b) Over the long term, adoption of more efficient resource-conserving systems of agricultural production can benefit both the producing and consuming public.

(c) The resolution of many agricultural problems depends on immediate efforts to provide farmers with practices that are both resource conserving and economical for food producers, and to foster food production and distribution methods that reduce dependence on petroleum-based inputs.

(Added by Stats. 2010, Ch. 200, Sec. 1. (AB 1891) Effective January 1, 2011.)

552.

The purpose of this article is to promote more research and education on sustainable agricultural practices, such as organic methods, biological control, and integrated pest managements, including the analysis of economic factors influencing the long-term sustainability of California agriculture. This article is intended to foster economically and ecologically beneficial means of soil improvement, pest management, irrigation, cultivation, harvesting, transportation, and marketing for California agriculture based on methods designed to accomplish all of the following:

(a) The control of pests and diseases of agricultural importance through alternatives that reduce or eliminate the use of pesticides and petrochemicals.

(b) The production, processing, and distribution of food and fiber in ways that consider the interactions among soil, plants, water, air, animals, tillage, machinery,

labor, energy, and transportation to enhance agricultural efficiency, public health, and resource conservation.

(Added by Stats. 2010, Ch. 200, Sec. 1. (AB 1891) Effective January 1, 2011.)

553.

(a) It is the intent of the Legislature that the Regents of the University of California establish the Sustainable Agriculture Research and Education Program to support all of the following:

(1) Competitive grants for research on topics described in Section 552.

(2) The giving of instructions and practical demonstrations in agriculture and imparting information through demonstrations, publications, and otherwise, and for printing and distribution of information in connection with the Sustainable Agriculture Research and Education Program. Where feasible, these demonstrations shall include field research conducted on cooperating farms.

(3) Planning for and management of University of California farmlands committed to supporting long-term continuous research in sustainable agricultural practices and farming systems.

(b) Those eligible to apply for competitive grants under subdivision (a) shall include individuals affiliated with public and private institutions of higher education and with nonprofit tax-exempt organizations.

(c) All grant applications shall be subject to peer review for scientific merit.

(d) In awarding grants, preference shall be given to projects that include field evaluation and offer the greatest potential for measurable progress toward attaining the long-term goals pursuant to Section 552.

(Added by Stats. 2010, Ch. 200, Sec. 1. (AB 1891) Effective January 1, 2011.)

554.

(a) If the Sustainable Agriculture Research and Education Program is established by the regents, the President of the University of California shall establish and appoint a Program Advisory Committee and a Technical Advisory Committee.

(b) The duties of the Program Advisory Committee shall include recommending goals and priorities for this program, including, but not limited to, reviewing the priority of grant applications.

(c) The Program Advisory Committee shall be composed of a majority of individuals representing agriculture, as well as representatives from government, public organizations, and institutions of higher education, all of whom are knowledgeable regarding the issues and practices of sustainable agriculture.

(d) The duties of the Technical Advisory Committee shall include making recommendations about the scientific merit of grant applications submitted pursuant to Section 553.

(e) The Technical Advisory Committee shall be composed of faculty and staff of the University of California and other experts from outside the university.

(f) Members of the Program Advisory Committee and Technical Advisory Committee who are not employed by the University of California shall be appointed for a period not exceeding three years and receive compensation for expenses incurred in the

performance of their duties according to applicable university regulations and guidelines.

(Added by Stats. 2010, Ch. 200, Sec. 1. (AB 1891) Effective January 1, 2011.)

555.

If the Sustainable Agriculture Research and Education Program is established by the regents, it shall be established from existing resources.

(Added by Stats. 2010, Ch. 200, Sec. 1. (AB 1891) Effective January 1, 2011.)

ARTICLE 8.5. The Cannella Environmental Farming Act of 1995 [560 - 569]

(Article 8.5 added by Stats. 1995, Ch. 928, Sec. 3.)

560.

This article shall be known as the Cannella Environmental Farming Act of 1995.

(Added by Stats. 1995, Ch. 928, Sec. 3. Effective January 1, 1996.)

561.

The Legislature finds and declares the following:

(a) California agriculture helps to feed the world and fuel our economy. Agriculture provides one out of every 10 jobs in California, and our state has led the nation in total farm production every year since 1948. During 1993, California's 76,000 farms generated nearly \$20 billion in cash receipts and another \$70 billion in economic activity.

(b) Many farmers engage in practices that contribute to the well-being of ecosystems, air quality, and wildlife and their habitat. Agriculture plays a pivotal role in preserving open space that is vital to the environment. Seventy-five percent of the nation's wildlife live on farms and ranches. Freshwater streams and stockponds on farms and ranches provide habitat to millions of fish. Corn, wheat, rice, and other field crops provide bountiful food and habitat for deer, antelope, ducks, geese, and other wildlife.

(c) Environmental laws should be based on the best scientific evidence gathered from public and private sources.

(d) Best scientific evidence should include the net environmental impact provided by agriculture.

(e) Additional research is necessary to adequately inventory the impact that agriculture has on the environment. Recognition should be afforded to agricultural activities that produce a net benefit for the environment, which is consistent with the growing trend of providing incentives for the private sector to undertake economic activities that benefit the environment.

(Added by Stats. 1995, Ch. 928, Sec. 3. Effective January 1, 1996.)

564.

Unless the context otherwise requires, the following definitions govern the construction of this article:

- (a) "Agricultural activities" means those activities that generate products as specified in Section 54004.
- (b) "Department" means the Department of Food and Agriculture.
- (c) "Panel" means the Scientific Advisory Panel on Environmental Farming.
- (d) "Secretary" means the Secretary of Food and Agriculture.

(Added by Stats. 1995, Ch. 928, Sec. 3. Effective January 1, 1996.)

566.

(a) The department shall establish and oversee an environmental farming program. The program shall provide incentives to farmers whose practices promote the well-being of ecosystems, air quality, and wildlife and their habitat.

(b) The department may assist in the compilation of scientific evidence from public and private sources, including the scientific community, industry, conservation organizations, and federal, state, and local agencies identifying the net environmental impacts that agriculture creates for the environment. The department shall serve as the depository of this information and provide it to federal, state, and local governments, as needed.

(c) The department shall conduct the activities specified in this article with existing resources, to the extent they are available.

(Added by Stats. 1995, Ch. 928, Sec. 3. Effective January 1, 1996.)

568.

(a) The secretary shall convene a nine-member Scientific Advisory Panel on Environmental Farming to advise the secretary on the implementation of the Healthy Soils Program established pursuant to Section 569, and the State Water Efficiency and Enhancement Program established by the department from moneys made available pursuant to Chapter 2 of the Statutes of 2014, and to assist federal, state, and local government agencies, as appropriate or necessary, on issues relating to the impact of agricultural practices on air, water, and wildlife habitat to do the following:

(1) Review data on the impact that agriculture has on the environment and recommend to the secretary and appropriate state agencies the best available science on environmental impacts of agriculture, as well as practices and policies based on that information to advance the goals of this article, including Section 569.

(2) Compile the net environmental impacts that agriculture creates for the environment, identified pursuant to paragraph (1).

(3) Research, review, and comment on data upon which proposed environmental policies and regulatory programs are based to ensure that the environmental impacts of agricultural activities are accurately portrayed and to identify incentives

that may be provided to encourage agricultural practices with environmental benefits.

(4) Assist government agencies to incorporate policies and practices identified pursuant to paragraph (1) into environmental regulatory programs.

(b) (1) Members of the panel shall be highly qualified and professionally active or engaged in the conduct of scientific research. Of the members first appointed to the panel, two shall serve for a term of two years and three shall serve for a term of three years, as determined by lot. Thereafter, members shall be appointed for a term of three years. The members shall be appointed as follows:

(A) Five members shall be appointed by the secretary as follows:

(i) At least two members shall have a minimum of five years of training and experience in the field of agriculture and shall represent production agriculture.

(ii) At least one member shall have training and field experience in on-farm management practices that reduce greenhouse gas emissions, sequester carbon, or both.

(iii) At least one member shall be certified as a producer pursuant to federal Organic Foods Production Act of 1990 (7 U.S.C. Sec. 6501 et seq.).

(iv) At least one member shall have technical expertise in agricultural conservation planning and management.

(B) Two members shall be appointed by the Secretary for Environmental Protection. One shall have a minimum of five years of training and experience in the field of human health or environmental science, and one shall have expertise in greenhouse gas emissions reductions practices related to agriculture.

(C) Two members who have a minimum of five years of training and experience in the field of resource management shall be appointed by the Secretary of the Natural Resources Agency. One member shall additionally have expertise in climate change adaptation and climate change impacts in the agricultural sector.

(2) The secretary may also appoint, in consultation with the panel, ex officio nonvoting members to the panel.

(c) The panel may establish ad hoc committees, which may include professionals, scientists, or representatives of nongovernmental entities, to assist it in performing its functions.

(d) The panel shall be created and maintained with funds made available from existing resources within the department to the extent they are available.

(e) The State Air Resources Board shall consult with the secretary and the panel, as appropriate, in developing the quantification methods described in subdivision (b) of Section 16428.9 of the Government Code as it relates to the demonstration and quantification of on-farm greenhouse gas emissions reductions.

(Amended by Stats. 2016, Ch. 368, Sec. 3. (SB 859) Effective September 14, 2016.)

569.

(a) (1) The department, in consultation with the panel, shall establish and oversee a Healthy Soils Program. The program shall seek to optimize climate benefits while supporting the economic viability of California agriculture by providing incentives, including, but not limited to, loans, grants, research, and technical assistance, and educational materials and outreach, to farmers whose management practices

contribute to healthy soils and result in net long-term on-farm greenhouse gas benefits. The program may also include the funding of on-farm demonstration projects that further the goals of the program.

(2) The department, in consultation with the panel, may determine priorities for the program and give priority to projects that occur in and benefit disadvantaged communities identified pursuant to Section 39711 of the Health and Safety Code, show promise of being replicable in other parts of the state, or provide environmental and agronomic cobenefits, such as improved air and water quality, improved crop yield, and reduced soil erosion.

(3) The panel shall also advise the department on scientific findings, program framework, guidelines, grower incentives, and providing technical assistance.

(4) If the department elects to fund on-farm demonstration projects described in paragraph (1), the department, in consultation with the panel, shall establish a technical advisory committee to review on-farm demonstration project applications for scientific validity and the proposed project's potential to achieve greenhouse gas benefits.

(b) The department shall implement the program and quantify greenhouse gas emissions reductions in accordance with the funding guidelines developed by the State Air Resources Board pursuant to Section 39715 of the Health and Safety Code and the quantification methods developed by the State Air Resources Board pursuant to Section 16428.9 of the Government Code.

(c) (1) The department may pursue public and private sources to support the Healthy Soils Program.

(2) To the extent funds are available, the department may provide support to the program, including, but not limited to, technical assistance, education, and outreach.

(d) For purposes of this section, "panel" means the Scientific Advisory Panel on Environmental Farming.

(e) For purposes of the Healthy Soils Program, the following terms have the following meanings:

(1) "Greenhouse gas benefits" means greenhouse gas emissions source reduction or carbon sequestration.

(2) "Healthy soils" means soils that enhance their continuing capacity to function as a biological system, increase soil organic matter, improve soil structure and water- and nutrient-holding capacity, and result in net long-term greenhouse gas benefits.

(3) "On-farm demonstration projects" means projects that incorporate farm management practices that result in greenhouse gas benefits across all farming types with the intent to establish or promote healthy soils.

(Added by Stats. 2016, Ch. 368, Sec. 4. (SB 859) Effective September 14, 2016.)

ARTICLE 9. University of California Center for Pest Research [576 - 585]

(Article 9 added by Stats. 1990, Ch. 1642, Sec. 1.)

576.

This article shall be known and may be cited as the University of California Pest Research Act of 1990.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

577.

The Legislature finds and declares all of the following:

- (a) There is a need to develop and apply ecologically based pest management alternatives that are environmentally sound to prevent, control, and eradicate pests.
- (b) The continuation of pest control technology in agriculture which relies primarily on synthetic chemicals may be impractical, given the dwindling number of newly registered chemicals, increasing resistance of numerous pests to pesticides, public concern about pesticide residues, and potential threats posed to environmental quality and human health.
- (c) To be adequately prepared for existing and new infestations of agricultural pests, California needs to have a means of coordinating and evaluating long-term basic and applied pest research, including the impact of prevention, control, and eradication efforts upon public health and the environment.
- (d) The state should facilitate, promote, and support collaborative pest research programs and projects by its agencies, public and private universities, the federal government, and the agricultural industry that work toward developing environmentally sound, ecologically based pest management techniques.
- (e) In order to strengthen pest prevention, control, and eradication efforts, it is the intent of the Legislature that an administrative structure be created within the University of California which, in cooperation with California's public and private universities, the state, the agricultural industry, and persons experienced with environmentally sound, ecologically based pest management alternatives, advances pest research and formulates innovative solutions that better safeguard the environment and public health.

Toward these ends, the Legislature requests that the Regents of the University of California establish a pest research center which will review and prioritize pest-related research activities conducted through the university. It is the intent of the Legislature that University of California programs engaged in pest research shall, when applicable, follow the research priorities established by the center. The center is encouraged to develop research priorities in cooperation with other public and private universities and with state, federal, and county agencies, including, but not limited to, the Department of Food and Agriculture, State Department of Health Services, Department of Forestry and Fire Protection, county agricultural commissioners, United States Department of Agriculture, National Science Foundation, National Institutes of Health, and the agricultural industry, and with environmental and public and occupational health groups.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

578.

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

- (a) "Center" means the University of California Center for Pest Research.

(b) "Pest" means any of the following pests that are, or are likely to become, dangerous or detrimental to the agricultural or nonagricultural environment of the state.

(1) Any insect, nematode, or weed.

(2) Any form of terrestrial, aquatic, or aerial plant, virus, fungus, bacteria, or other microorganism, except viruses, fungi, bacteria, or other microorganisms on, or in, a living human or any other living animal.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

579.

It is the intent of the Legislature that the responsibilities of the center include, but are not limited to, all of the following:

(a) Establishing multidisciplinary, long-term research priorities for the University of California which focus on the application of ecologically based, environmentally sound prevention, control, and eradication practices against pests which pose a significant threat to the welfare of California's agricultural, forest, or urban settings.

(b) Recommending how pest research funds obtained by the center on or after January 1, 1991, should be allocated within the University of California.

(c) Encouraging the use of biological controls, integrated pest management, sustainable agriculture, and other alternative pest management methods to combat pests, and, thereby, reducing exposure to toxic substances in air, water, and soil.

(d) Supporting basic and applied pest research, including practical field trials and awarding competitive grants, when economically feasible, and other projects administered by the center.

(e) Developing information systems that enable academics, farmers, and public policymakers to quickly analyze and apply pest research data.

(f) Providing information and advice to the department, county agricultural commissioners, the agricultural community, and other interested parties concerning pest prevention and detection through outreach consultation, information dissemination, education services, demonstrations, seminars, and publications.

(g) Printing and distributing information related to center-sponsored and other University of California pest management research projects.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

580.

(a) It is the intent of the Legislature that the center, through its director, develop a list of recommended pest management research priorities for the University of California that emphasize and encourage the development and implementation of biological controls, sustainable agriculture, integrated pest management strategies, agroecology, cultural and mechanical practices, and other alternative pest management methods and programs which are ecologically based and environmentally sound.

(b) In developing pest management research recommendations, the center is encouraged to give high priority to alternative practices and strategies that address the reduction, control, or eradication of pests, including exotic pests, which

represent the greatest threat to public health and safety or the economy of the state.

(c) In developing recommended exotic pest research priorities, the center is encouraged to give high priority to all of the following:

- (1) Development of methods to determine the origin of exotic pests.
- (2) Determination of the age and origin of exotic pests.
- (3) Geographic analysis of exotic pests to determine place of origin, including acoustical fingerprinting.
- (4) Improvements to existing exotic pest insect baits.
- (5) An examination of the manner in which the sterile insect technique actually works and improvements in sterile insect technology.
- (6) Assessments of wild exotic pest populations, and their regulating biological agents.
- (7) Studies of exotic pests and their natural enemies in climates similar to that of the various regions in California.
- (8) The exploration and introduction of natural enemies, including those from foreign countries, if necessary.
- (9) Computerization of all records of exotic pest captures.
- (10) Improvements in detection technology, which include better attractants.
- (11) Compilation, maintenance, and updated data about exotic pest research and exotic pest management programs operating within and outside the state.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

581.

To the extent that it is economically and scientifically feasible, it is the intent of the Legislature that the center shall award pest research funds obtained by the center on or after January 1, 1991, based upon a competitive application process and peer review. The center is encouraged to give high priority to exotic pest research proposals.

In awarding pest research funds, the center shall give priority to proposals that support pest control methods which use ecologically based and environmentally sound alternatives to pesticides and other chemicals, and eliminate or reduce pesticide use or eliminate or minimize pesticide residues, protect the public health and environment, and satisfy a majority of the following criteria:

- (a) Are cost-effective.
- (b) Improve the agricultural industry and the state economy.
- (c) Do not significantly or extensively duplicate other research.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

582.

It is the intent of the Legislature that the University of California appoint a director of the center who is knowledgeable about pest management practices and research and alternative pest management techniques.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

583.

(a) The University of California shall prepare an annual report describing the activities of the center, major objectives and significant accomplishments of pest management research and extension programs at the University of California, and obstacles and opportunities toward developing and implementing pest management alternatives in the state. The report shall also include all of the following:

- (1) Identification and evaluation of major policy issues and needs in pest management research in California.
- (2) Identification of the long-range and short-term management research priorities established by the center.
- (3) Identification of environmentally sound, ecologically based alternatives to pesticides that are possible or probable human carcinogens or reproductive toxicants.
- (4) A summary and status information on all research proposals submitted through the center. The summary shall include both proposed and approved research projects.

(b) The report shall be submitted to the Legislature not later than October 15 of each year.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

584.

If the center is established by the Regents of the University of California, it is the intent of the Legislature that the administrative costs of establishing the center shall be supported from existing resources of the university.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

585.

This article shall apply to the University of California only to the extent that the Regents of the University of California, by resolution, make any of these provisions applicable to the university.

(Added by Stats. 1990, Ch. 1642, Sec. 1.)

ARTICLE 9.5. Coexistence Working Groups [587 - 588]

(Article 9.5 added by Stats. 2007, Ch. 324, Sec. 1.)

587.

The Legislature finds and declares the following:

- (a) The Legislature supports the agricultural community's efforts to promote choices of farming methods, practices, and crops.
- (b) The Legislature also recognizes the economic and other value to the State of California in diversified agricultural industries, bolstered by mutually supportive coexistence within and among its sectors; and further appreciates the value and

importance of agricultural research for the benefit not only of California's farming community, but also farmers and people around the world.

(Added by Stats. 2007, Ch. 324, Sec. 1. Effective January 1, 2008.)

588.

(a) When conflicts arise between sectors of agriculture, the secretary may designate agricultural coexistence working groups to work towards conflict resolution.

(b) The members of a coexistence working group shall be appointed by, and serve at the pleasure of, the secretary. Each working group shall be comprised of no more than 10 members of diverse qualifications, who shall serve without compensation and within existing departmental resources, to develop, review, and provide findings and recommendations to the secretary regarding specific issues pertaining to the coexistence of various sectors of agricultural production that present or might present conflicts with one another. Each working group shall be comprised primarily of affected growers or their representatives from a cross section of the interested stakeholders and may also include representatives of related industries, academia, or relevant governmental agencies.

(c) In developing its findings and recommendations for the secretary, a working group may do any of the following:

(1) Recognize the economic, human, and environmental benefits of coexistence among diversified agricultural industries by developing best management practices designed to foster coexistence between the various segments of food, fiber, and agriculturally derived energy production.

(2) Identify a means of maximizing coordination and communication among those involved in sectors of agricultural production that are in real, potential, or perceived conflict with one another, and consider issues relevant to coexistence, including, but not limited to, developing consensus on voluntary production practices and protections.

(3) Work in concert with the State Board of Food and Agriculture, and provide a forum for fostering a broad-based dialogue on agricultural production practices related to coexistence, founded on facts and demonstrable applied and practical science. If data is lacking, the working group may also propose research programs to provide information on which to base further recommendations.

(Added by Stats. 2007, Ch. 324, Sec. 1. Effective January 1, 2008.)