

**FROM THE CAPITOL**  
**Legislative Report**  
*May, 2005*

**Food Labeling "California Choice Seal" AB 105 (Cohn):** Would require the Department of Health Services to establish a voluntary food inspection program. Would authorize placement of the California Choice Seal on compliant food products, and would assess a fee upon participants to cover the costs of the program. *CLFP Position: oppose. Status: Assembly Health Committee.*

**Recycling: Food and Beverage Packages: Labeling: AB 1049 (Koretz):** Would prohibit a person, on and after January 1, 2007, from selling a food or beverage package, in the state unless the food or beverage package complies with the labeling requirements that they labeled with a code that indicates the resin used to produce the rigid plastic bottle or rigid plastic container require a food and beverage package to labeled with consumer disposal instructions consisting of a code indicating the appropriate disposal method. *CLFP Position: oppose. Status: Assembly Appropriations Committee.*

**Food Labeling: State-Certified Logo: AB 1291 (Pavley):** Would require the California Environmental Protection Agency to establish a state-certified logo that could be affixed to food products that are proven to be free of, or contain acceptable levels of, toxic substances that could harm a child's health. Would establish a testing process for participating food products and conduct a public awareness program. *CLFP Position: oppose. Status: Assembly Health Committee.*

**Ecological Labeling: SB 369 (Simitian):** Would require the California Environmental Protection Agency to establish a Commission on Ecological Labeling to award the Green Bear Eco-Label to a product or service that meets the criteria adopted by the commission or is subject to a determination by a specified panel of experts; and would require the commission to adopt criteria for awarding a label to a product or service. *CLFP Position: oppose. Status: Senate Appropriations Committee.*

**Liability: Immunity: Food and Beverages AB 173 (Houston):** Would provide immunity from civil liability to a manufacturer, packer, distributor, carrier, marketer, advertiser or seller of a food or beverage, or an association of one or more of these entities, for any claim arising from weight gain, obesity, a health condition associated with weight gain or obesity from the long-term consumption of the food. *CLFP Position: support. Status: Assembly Judiciary Committee.*

## **Calif. Food & Drug Branch (FDB) Penalties and Violations: AB 1081 (Matthews): Sponsored by CLFP**

CLFP staff and FDB personnel have worked together to update several sections of the Sherman Food, Drug and Cosmetic law that are included in this bill. These issues were discussed at the CLFP Fall Board meeting last October.

AB 1081 would make violations of product tampering or embargo laws a felony and increase the maximum penalty from \$1,000 to \$10,000; it would make a one time "cost of living adjustment" of 15% to the annual food processor registration fee to cover FDB personnel benefit increases that occur periodically. The bill would establish a new fee to cover the cost by FDB inspectors of re-inspecting major violations; and would extend the sunset for the Food Safety & Education Program until January 1, 2011. The bill would also establish a new fee of \$250 for HACCP inspections tailored for the seafood and juice industries.

For more information contact Bill Grigg, CLFP office. CLFP Position: support. Status: Assembly Appropriations Committee.

**Employment Training Panel – Seasonal Workers: AB 314 (Romero):** Would authorize the Employment Training Panel to allocate funds for training and job-related vocational skills to increase the productivity and extended retention of workers in the state's major seasonal industries. Authorizes the panel to waiver certain requirements contained in existing law under specified conditions. *CLFP Position: pending. Status: Senate Appropriations Committee.*

**Perchlorate Fee: AB 342 (Baca):** Would declare the intent of the Legislature to enact legislation that would authorize the Department of Toxic Substances Control to assess a fee on products that contain perchlorate and to expand those funds to treat drinking water wells contaminated with perchlorate. *CLFP Position: oppose. Status: Assembly.*

**Air Quality: Particulate Monitoring: AB 841 (Arambula):** Would require the State Air Resources Board to work to install sufficient and continuous air quality monitors in the western region of Fresno County in areas that are primarily low-income and underserved. *CLFP Position: pending. Status: Assembly Appropriations Committee.*

**Ag Bargaining Advisory Committee: AB 1061 (Ag Committee):** Would reduce the number of mandatory meetings of the Agricultural Cooperative Bargaining Advisory Committee. *CLFP Position: support. Status: Assembly Appropriations Committee.*

**Drinking Water – Perchlorate Levels: AB 1354 (Baca):** Would require the

Department of Health Services to establish a maximum drinking water standard contaminant level for perchlorate of 6 parts per billion, to be phased in over a period of 2 years commencing January 1, 2006. *CLFP Position: pending. Status: Assembly Environmental Safety & Toxic Materials Committee.*

**Air Contaminants – Emissions Reduction Credits: AB 1430 (Goldberg):** Would require the methodology for use by air pollution control districts and air quality management districts to calculate the value of credits issued for emission reductions from stationary, mobile, indirect and area wide sources to prohibit the trading of mobile source emissions for stationary source emissions, within or between air districts, until all such sources have first installed best available retrofit technology, best available control technology, or lowest achievable emissions reduction. *CLFP Position: pending. Status: Assembly Appropriations Committee.*

**Ag Package: Farm Equipment Sales Tax Exemption – Repeal: AB 1644 (De La Torre):** Would repeal the sales tax exemption for farm equipment, and machinery used primarily in producing and harvesting agricultural products. *CLFP Position: oppose. Status: Assembly Revenue & Taxation Committee.*

**Retailers: Shelf Placement Fees; “Slotting Fees”: SB 582 (Figueroa):** Would require a retailer to disclose to a qualified supplier or manufacturer, upon its request, the placement fees or arrangements and trade information, as defined, relating to products of other suppliers or manufacturers that are placed on the retailer's premises and are similar in character to the product of the qualified supplier or manufacturer. *CLFP Position: Neutral. Status: Senate Business, Professions and Economic Development Committee.*

**Water Discharge Requirements: Waivers: SB 646 (Kuehl):** Would require the State Water Resources Board or a regional water quality control board to include the payment of an annual fee as a condition of a waiver of certain waste discharge requirements; would also require the annual fee to be adequate to pay for the cost of the waiver program. Makes provisions applicable to cease and desist orders, punitive actions or cleanup and abatement orders in connection with violations of discharge requirements or of board orders or prohibitions also applicable to certain violations. *CLFP Position: oppose. Status: Senate Floor.*

***For more information on these bills or other legislation, contact Bill Grigg at the CLFP Office.***