

Date of Hearing: May 12, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 866 (Megan Dahle) – As Amended March 9, 2021

Policy Committee: Agriculture

Vote: 11 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill allows Secretary of the California Department of Food and Agriculture (CDFA) to approve governmental and commercial laboratories to provide regulatory testing and analysis for the Commercial Feed Regulatory Program (CFRP) and Seed Services Program (SSP).

Specifically, this bill:

- 1) Expands the type of entities that may be established or designated to administer all or part of the law governing commercial feed to include any state accredited, certified or licensed laboratory.
- 2) Allows rather than requires CDFA to maintain a properly equipped laboratory for examining and testing seeds.
- 3) Allows CDFA to maintain a properly equipped laboratory for examining and testing seeds for the purpose of enforcing the germination and purity standards established by the California Seed Law (CSL).
- 4) Allows CDFA to approve laboratories to conduct germination and purity examinations and testing of seeds that meet specified requirements.

FISCAL EFFECT:

- 1) One time information technology (IT) costs of between \$5 million and \$7 million for both the Seed and Feed programs to establish databases for licensing and certifying private laboratories throughout the state, including registration, evaluation and other processes associated with oversight. Ongoing costs of \$200,000 annually to maintain the system (GF).
- 2) Ongoing annual costs to the Commercial Feed Program at CDFA of about \$310,000 to fund a staff analyst to license laboratories and conduct audit inspections (GF).
- 3) Ongoing annual costs to the Seed Program at CDFA of about \$330,000 to fund a senior botanist to license laboratories and conduct multiple audit inspections (GF).

COMMENTS:

Rationale. According to the author, The CDFA's Center for Analytical Chemistry (CAC) and Plant Pest Diagnostic Center (PPDC) have been the sole providers of regulatory fee-for-service testing and analysis for CFRP and SSP. CDFA laboratories provide testing and analysis to

support compliance with state and federal feed standards and seed purity and germination standards.

The CAC recently re-evaluated its mission and has transitioned away from providing regulatory fee-for-service testing and analysis of feed samples. While there are several commercial feed laboratories in California that could provide testing and analysis of feed samples, the CFRP conducted an inter-governmental laboratory search and found only two laboratories at the University of California, Davis to run their samples. While, the PPDC remains the sole CDFA laboratory providing fee-for-service purity and germination testing and analysis for the SSP, there are multiple government and commercial laboratories that could provide equivalent levels of purity and germination testing and analysis.

This bill aligns with the CDFA Secretary's current authority to approve commercial laboratories to provide regulatory testing and analysis to comply with the requirements of CDFA's Industrial Hemp Program. Taking these steps will provide CDFA with the ability to expand laboratory capacity for the CFRP and SSP, increase efficiency, turnaround time and provide cost-savings in both the short-term and long-term to farmers and consumers.

Analysis Prepared by: Jennifer Galehouse / APPR. / (916) 319-2081