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HEALTH AND SAFETY CODE - HSC

DIVISION 104. ENVIRONMENTAL HEALTH [106500 - 119406] (Division 104 added by Stats. 1995, Ch. 415, Sec. 6.)

PART 6. WHOLESALE FOOD [111940 - 113360] (Part 6 added by Stats. 1995, Ch. 415, Sec. 6.)

CHAPTER 9. Olive Oil [112875 - 112935] (Chapter 9 added by Stats. 1995, Ch. 415, Sec. 6.)

ARTICLE 2. Olive Oil Manufacture and Marketing [112891 - 112935] (Article 2 heading added by Stats. 2008, Ch. 694, Sec. 6.)

112891. Any olive oil and olive-pomace oil labeled for sale shall be consistent with this chapter.

(Amended by Stats. 2011, Ch. 567, Sec. 7. (SB 818) Effective January 1, 2012.)

112893. Alpha-tocopherol may be added to refined olive oil, olive oil, refined olive-pomace oil, and olive-pomace oil to restore natural tocopherol lost in the refining process. The concentration of alpha-tocopherol in the final product shall not exceed 200 milligrams per kilogram.

(Added by Stats. 2008, Ch. 694, Sec. 9. Effective January 1, 2009.)

112894. Virgin olive oil not fit for human consumption, sometimes known as lampante virgin olive oil, shall be refined before consumption.

(Added by Stats. 2011, Ch. 567, Sec. 8. (SB 818) Effective January 1, 2012.)

112895. (a) It is unlawful to manufacture, sell, offer for sale, give away, or to possess imitation olive oil in California.

(b) This section does not prohibit the blending of olive oil with other edible oils, if the blend is not labeled as olive oil or imitation olive oil, is clearly labeled as a blended vegetable oil, and if the contents and proportions of the blend are prominently displayed on the container's label, or if the oil is a flavored olive oil.

(c) If any olive oil is produced, processed, sold, offered for sale, given away, or possessed in California, that indicates on its label "California Olive Oil," or uses words of similar import that indicate that California is the source of the oil, 100 percent of that oil shall be derived from olives grown in California.

(d) Any container of olive oil produced, processed, sold, offered for sale, given away, or possessed in California which contains olive oil produced from olives grown in locations other than California, in whole or in part, and includes "California" in any form on the principal display panel shall state on the same panel the minimum percentage of olive oil in the container produced from olives grown in California in a font size that is no less than the largest font used to print "California" on the same panel. The percentage shall be declared by the words, "___percent (or ___%) California" or "___ percent (or ___%) California olive oil." This subdivision shall not apply to a container of olive oil produced on or before December 31, 2021.

(e) Any olive oil produced, processed, sold, offered for sale, given away, or possessed in California with a principal display panel that uses "California" or any reference to it shall comply with the quality and purity standards set forth in the "Grade and Labeling Standards for Olive Oil, Refined-Olive Oil, and Olive-Pomace Oil" published by the Department of Food and Agriculture.

(f) Olive oil produced, processed, sold, offered for sale, given away, or possessed in California, that indicates on its label that it is from a specific region of California shall be made of oil at least 85 percent of which, by weight, is derived from olives grown in the specified region.

(g) This section does not prohibit an olive oil producer or processor from using a truthful, nonmisleading statement or representation regarding the geographic origin of the olives used in the production of the olive oil in any label, packaging material, or advertising if the label, packaging material, or advertising contains no representation that is prohibited by this section.

(h) Olive oil produced, processed, sold, offered for sale, given away, or possessed in California, that indicates on its label that it is from a specific estate in California shall be made of oil at least 95 percent of which, by weight, is derived from olives grown on the specified estate.

(i) Olive-pomace oil shall not be labeled as olive oil.

(Amended by Stats. 2021, Ch. 466, Sec. 1. (AB 535) Effective January 1, 2022.)

112905. It is unlawful to prepare, express, mix, or blend olive pomace or meats with any bland fixed oil other than olive oil.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)

112910. All records of those operating under the provisions of this chapter that concern the amounts of olive oil produced, purchased, or produced and purchased, or the sale, distribution, or sale and distribution of any olive oil, shall be open to inspection upon demand of any agent of the department.

(Amended by Stats. 2008, Ch. 694, Sec. 12. Effective January 1, 2009.)

112915. It is unlawful to reuse any olive oil container, can, or drum for repacking any fixed oil intended to be used for food purposes, except on the premises of the processor or when a consumer fills a clean container from a sanitary olive oil dispenser at a retail outlet.

(Amended by Stats. 2008, Ch. 694, Sec. 13. Effective January 1, 2009.)

112920. All olive oil for technical purposes shall be denatured with an odoriferous substance so as to render it unfit for food purposes.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)

112925. It is unlawful to sell or offer for sale olive oil containing more than 5 percent free fatty acid without first denaturing the oil and making it unfit for human consumption.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)

112930. The department shall enforce this chapter.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)

112935. Any person violating any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail for not exceeding one year, or by both fine and imprisonment.

(Added by Stats. 1995, Ch. 415, Sec. 6. Effective January 1, 1996.)