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AB-2716 Meat processing establishment, custom livestock slaughterhouse, and poultry plants: licensing and inspectors. (2015-2016)

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Assembly Bill No. 2716

CHAPTER 247

An act to amend Sections 18980, 18981, 19010, 19011, 24744, 25053, 25055, and 25056 of, and to repeal and amend Section 24745 of, the Food and Agricultural Code, relating to meat.

[Approved by Governor August 30, 2016. Filed with Secretary of State August 30, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2716, Dodd. Meat processing establishment, custom livestock slaughterhouse, and poultry plants: licensing and inspectors.

The California Meat and Poultry Supplemental Inspection Act requires, until January 1, 2017, each person to be licensed before operating a meat processing establishment or a custom livestock slaughterhouse and sets annual license renewal fees for custom livestock slaughterhouses and meat processing establishments. The act, until January 1, 2017, also establishes application fees for initial and renewal of licenses for livestock meat inspectors and processing inspectors. The act imposes a penalty on applicants for renewal who fail to pay the renewal fee by the expiration date of the meat processing establishment, custom livestock slaughterhouse, livestock meat inspector, or processing inspector license and provides cause for revocation of the license if the applicant fails to pay the renewal fee, plus the penalty, within 90 days of the license's expiration.

Existing law provides for the regulation, inspection, and licensing of poultry plants and for the regulation and licensing of poultry meat inspectors. Existing law, until January 1, 2017, specifies the license application fees for a new, previously unlicensed poultry plant and for a license application submitted upon change of ownership of an existing, previously licensed poultry plant. Existing law, until January 1, 2017, requires that an application for renewal of a license of a poultry plant, accompanied by a specified renewal fee, be made on or before the expiration of the license.

Existing law, until January 1, 2017, specifies the application fee for a poultry meat inspector license application and the renewal fee of that license. Existing law, until January 1, 2017, imposes a penalty of \$25 on applicants for renewal who fail to pay the renewal fee by the expiration date of the license, and provides for revocation of the license if the applicant fails to pay the renewal fee, plus the penalty, within 90 days of the license's expiration.

This bill would extend these licensing and inspector provisions to January 1, 2022, and would delete an obsolete provision.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 18980 of the Food and Agricultural Code is amended to read:

18980. (a) The application fee for a livestock meat inspector's license or a processing inspector's license is one hundred dollars (\$100). If an applicant for a license does not take the examination within one year after the date of the receipt of the application by the secretary, the application expires. Reexamination requires the payment of an additional application fee.

(b) Each license shall expire on the last day of the calendar year for which it is issued. The fee shall not be prorated.

(c) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 2. Section 18981 of the Food and Agricultural Code is amended to read:

18981. (a) Application for renewal of a license accompanied by a fee of one hundred dollars (\$100) shall be made on or before its expiration. Applicants for renewal of a license who have not paid the renewal fee by the expiration date of the license shall be assessed a twenty-five dollar (\$25) penalty. Failure to pay the renewal fee plus the penalty within 90 days of expiration shall cause a revocation of a license.

(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 3. Section 19010 of the Food and Agricultural Code is amended to read:

19010. (a) Each person shall, before operating a meat processing establishment or a custom livestock slaughterhouse, file an application accompanied with an application fee, with the secretary for a license to operate the establishment. The application shall be in the form as the secretary may prescribe.

(b) Subject to Section 19011.5, the application fee for a meat processing establishment or a new, previously unlicensed custom livestock slaughterhouse is five hundred dollars (\$500) for a license for one year for each establishment that the applicant desires to operate. Each license shall expire on the last day of the calendar year for which it was issued. The fee shall not be prorated.

(c) The fee for a license application submitted upon a change of ownership of an existing, previously licensed custom livestock slaughterhouse shall be based on the number of head of livestock slaughtered by the custom livestock slaughterhouse during the preceding October through September time period, as described in subdivision (a) of Section 19011.

(d) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 4. Section 19011 of the Food and Agricultural Code is amended to read:

19011. (a) Application for renewal of a license accompanied by a renewal fee shall be made on or before its expiration.

(1) Subject to Section 19011.5, the annual renewal fee for a custom livestock slaughterhouse is:

(A) Five hundred dollars (\$500) if the plant slaughtered 1,000 or fewer head of livestock during the preceding October through September time period.

(B) Seven hundred fifty dollars (\$750) if the plant slaughtered between 1,000 and 5,000 head of livestock during the preceding October through September time period.

(C) One thousand two hundred dollars (\$1,200) if the plant slaughtered over 5,000 head of livestock during the preceding October through September time period.

(2) Subject to Section 19011.5, the annual renewal fee for a meat reprocessing establishment is five hundred dollars (\$500).

(b) Applicants for renewal who have not paid the renewal fee by the expiration date of the license shall be assessed a penalty of 10 percent of the unpaid balance. Failure to pay the renewal fee plus the penalty within 90 days of expiration shall cause a revocation of a license.

(c) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 5. Section 24744 of the Food and Agricultural Code is amended to read:

24744. (a) Subject to Section 24745.5, the application fee for a new, previously unlicensed poultry plant is five hundred dollars (\$500) for a license for one year for each poultry plant that the applicant desires to operate.

(b) The fee for a license application submitted upon change of ownership of an existing, previously licensed poultry plant shall be based on the number of poultry slaughtered by the poultry plant during the preceding October through September time period, as described in subdivision (b) of Section 24745.

(c) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 6. Section 24745 of the Food and Agricultural Code, as added by Section 34 of Chapter 133 of the Statutes of 2011, is repealed.

SEC. 7. Section 24745 of the Food and Agricultural Code, as added by Section 8 of Chapter 134 of the Statutes of 2011, is amended to read:

24745. (a) Application for renewal of a license accompanied by a renewal fee shall be made on or before its expiration.

(b) Subject to Section 24745.5, the annual license renewal fee for a poultry plant is:

(1) Five hundred dollars (\$500) if the plant slaughtered 10,000 or fewer poultry during the preceding October through September time period.

(2) Seven hundred fifty dollars (\$750) if the plant slaughtered between 10,000 and 100,000 poultry during the preceding October through September time period.

(3) One thousand two hundred dollars (\$1,200) if the plant slaughtered over 100,000 poultry during the preceding October through September time period.

(c) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 8. Section 25053 of the Food and Agricultural Code is amended to read:

25053. (a) The application fee for a license is one hundred dollars (\$100).

(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 9. Section 25055 of the Food and Agricultural Code is amended to read:

25055. (a) Application for renewal of a license accompanied by a fee of one hundred dollars (\$100) shall be made on or before the last day of the calendar year for which the license was issued.

(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.

SEC. 10. Section 25056 of the Food and Agricultural Code is amended to read:

25056. (a) Applicants for renewal who have not paid the renewal fee by the expiration date of the license shall be assessed a twenty-five dollar (\$25) penalty. Failure to pay the renewal fee plus the penalty within 90 days of expiration shall cause a revocation of a license.

(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2022, deletes or extends that date.