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AB-1042 Pesticide treated seed: labeling. (2023-2024)

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Assembly Bill No. 1042

CHAPTER 348

An act to amend Section 52484 of the Food and Agricultural Code, relating to agriculture.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1042, Bauer-Kahan. Pesticide treated seed: labeling.

Existing law, the California Seed Law, regulates seed sold in California. The California Seed Law prohibits any person from shipping, delivering, transporting, or selling agricultural or vegetable seed that is treated after harvest with any substance that is likely to be poisonous or toxic to human beings or animals unless it is labeled with specified information, including the chemical or generic name of the treatment material, as provided. The California Seed Law requires, when more than one substance is applied to the seed, each substance applied to the seed to be noted on the label and the seed to be labeled for the substance with the higher level of toxicity.

This bill would additionally require, when more than one substance is applied to the seed, that the seed be labeled for each substance applied with the signal word for the substance with the highest level of toxicity. The bill would, beginning January 1, 2027, require that the label for seeds treated with certain substances and packaged on or after January 1, 2027, include each pesticide's registration number from the United States Environmental Protection Agency, if applicable, and the quantity applied by weight or amount per seed.

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

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

SECTION 1. Section 52484 of the Food and Agricultural Code is amended to read:

52484. (a) Except as otherwise provided in Section 52486, it is unlawful for any person to ship, deliver, transport, or sell agricultural or vegetable seed that is treated after harvest with any substance that is likely to be poisonous or toxic to human beings or animals unless there is conspicuously shown on the analysis tag or label, on a separate tag or label attached to each container, or on each container all of the following information:

- (1) "TREATED SEED" and the signal word for the category of treatment material, all in capital letters.
- (2) The chemical or generic name of the treatment material.
- (3) An appropriately worded statement as to the hazards to humans and animals.
- (4) An appropriately worded statement of practical treatment, if present.

(b) This information shall be derived from the technical chemical label of each substance applied to the seed.

(c) When more than one substance is applied, each substance shall be noted on the label and the seed shall be labeled for each substance applied with the signal word for the substance with the highest level of toxicity.

(d) (1) For seeds treated with substances subject to the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. Sec. 136 et seq.), the label shall include, for each pesticide, the following information:

(A) The registration number from the United States Environmental Protection Agency, if applicable.

(B) The quantity applied by weight or amount per seed.

(2) This subdivision shall become operative January 1, 2027.

(3) This subdivision shall only apply to seeds shipped, delivered, transported, distributed, or sold in the state for planting within the state.

(4) The requirements of this subdivision do not apply to seeds packaged before January 1, 2027.