

IX. Legislation

A. AB 1437 – MULLIN - MEDICALLY IMPORTANT ANTIMICROBIALS: NONTHERAPEUTIC USE

SUPPORT:

Natural Resources Defense Council
Environmental Working Group

OPPOSITION: None on file

HEARING LOCATION/DATE: Assembly Agriculture Committee – 4/30/2014

ACTION – Board Position

Existing law requires the manufacturer of a livestock drug, including a restricted drug, as defined, to register with the Director of Food and Agriculture and requires the director to refuse to register the drug if he or she makes specified findings. Under existing law it is unlawful, among other things, to use or administer any registered livestock drug, except in accordance with the label instructions.

This bill, as of January 1, 2017, would redefine “restricted drug” to also include a livestock drug that is recognized by either the Center for Disease Control and Prevention or the World Health Organization to increase the prevalence of antibiotic-resistant bacteria, as specified. The bill would prohibit registration of a restricted drug if the director finds that the restricted drug poses a risk to public health through the increased prevalence of antibiotic-resistant bacteria. The bill would also authorize the director to revoke the registration of a medically important antimicrobial, as defined, for use in livestock if he or she finds that the drug threatens the public health by increasing the prevalence of antibiotic-resistant bacteria.

The bill would prohibit the administration of a medically important antimicrobial to a food-producing animal for nonroutine disease control unless certain conditions are met. By prohibiting the administration of a medically important antimicrobial, this bill would create a crime, thereby imposing a state-mandated local program. The bill would also require a livestock producer that does administer a medically important antimicrobial to a food-producing animal to annually report specified information to the director relating to the administration of the medically important antimicrobial and would make the failure to make that report an infraction subject to specified penalties. The bill would require the department post this information on an Internet Web site.

B. SB 835 – HILL – FOOD PRODUCING ANIMALS: MEDICALLY IMPORTANT ANTIMICROBIAL DRUGS

SUPPORT:

California Cattlemen’s Association
California State Grange
California Veterinary Medical Association
The Pew Charitable Trusts

OPPOSITION:

Consumers Union – Oppose unless amended

HEARING LOCATION/DATE: Senate Agriculture Committee – 4/1/14 Votes: 5-0 Pass
Senate Appropriations – 4/28/14

ACTION – Board Position

Under existing law, the Secretary of Food and Agriculture has the responsibility of ensuring that food products are not adulterated and that they are capable for use as human food. A violation of the laws and regulations relating to the adulteration of livestock or poultry products is a crime, punishable as specified. Existing law regulates the sale of livestock drugs by the secretary, and requires livestock drugs to be registered.

This bill: Codifies the FDA Guidance for Industry #213 dated December 2013.

1. Defines “medically important antimicrobial drug” to mean a drug listed in the FDA Guidance for Industry #152 which categorizes these drugs as critically important, highly important, or important antimicrobial drugs.

2. Requires the secretary of CDFA to refuse to register a medically important antimicrobial drug administered to food animals through feed or drinking water unless the drug complies with the specified requirements below:

- a. Requires drug manufacturers to remove from the label of said drugs the approved use for growth promotion or feed efficiency.
- b. Requires drug manufacturers to change the over-the-counter availability of said drugs to 1) requiring a veterinary feed directive if the drug is administered in animal feed or 2) requiring a veterinary prescription if the drug is administered in drinking water.
- c. Requires that medically important antimicrobial drugs administered through feed or water may only be used under the supervision of a veterinarian to treat, prevent, or control disease.

3. Requires a veterinarian-client-patient relationship to ensure that medically important antimicrobial drugs are used according to professionally accepted best practices.

4. Requires drug manufacturers to comply with these provisions by January 1, 2017, and reregister medically important antimicrobial drugs with the secretary of CDFA.

5. Authorizes the secretary to continue registering a drug during FDA’s GFI #213 review period should the review be delayed beyond January 1, 2017.

6. Authorizes the secretary to extend the implementation date if revisions to the VFD cause FDA to delay implementation of GFI #213.

7. Authorizes the secretary to promulgate regulations to ensure that California regulations are consistent with GFI #213 should revisions to the VFD cause the FDA to revise GFI #213.

C. AB 1810 – MAIENSCHIN – DEPOSITS FOR KEEPING: ABANDONED ANIMALS

SUPPORT: American Society for the Prevention of Cruelty to Animals (sponsor)

OPPOSITION: None on file.

HEARING LOCATION/DATE: Assembly Business, Professions, & Consumer Protection – 3/25/14
Votes: 14-0 Pass
Assembly Floor – 3/28/14 Votes – 71-9 Pass
Senate Judiciary – TBD

ACTION – Board Position

This bill modifies current law to give veterinarians and specified animal care facilities such as kennels, pet groomers or animal hospitals the discretion to decide whether or not to euthanize an abandoned animal after it has been abandoned for at least 10 days, or to turn over the abandoned animal to a public animal control agency, shelter or designated humane association. Current law appears to require that veterinarians and animal care facilities destroy abandoned animals after 10 days, and this bill is intended to relax that requirement. This bill is sponsored by the American Society for the Prevention of Cruelty to Animals (ASCPA).

D. AB 1809- MAIENSCHN- DOGS: HEALTH CERTIFICATES

SUPPORT: ASPCA

OPPOSITION: None on File- Author Working w/ AKC on Privacy Issue w/ the CVI

HEARING LOCATION/DATE: Assembly Business, Professions, & Consumer Protection – 4/22/14

ACTION – Board Position

Existing law imposes specified requirements on animal owners in order to prevent or control the transmission of zoonotic diseases, such as rabies, and communicable diseases amongst animals. Existing law also provides for the licensing and registration of dogs, as specified.

This bill would require a person seeking to bring a dog into this state, or importing dogs into this state for the purpose of resale or change of ownership, to obtain a health certificate with respect to that dog that has been completed by a licensed veterinarian and is dated within 10 days prior to the date on which the dog is brought into the state. The bill would require the person to submit the health certificate to the county health department, as specified. *The bill would exempt from these requirements a person who brings a dog into the state that will not be offered for resale or if the ownership of the dog will not change.* The bill would authorize the agency receiving the health certificate to use the information on the health certificate as it deems appropriate, and to charge a fee in a reasonable amount sufficient to cover the costs associated with receiving and processing a health certificate submitted to the county health department pursuant to these provisions. By imposing a higher level of service on county health agencies, the bill would impose a state-mandated local program.

E. AB 2056 – DABABNEH – PET INSURANCE

SUPPORT: Department of Insurance
Consumer Action
Actors and Others for Animals
The Humane Society of the United States
Pet Industry Joint Advisory Council

OPPOSITION: None on File

HEARING LOCATION/DATE: Assembly Insurance – 4/23/14

ACTION – Board Position

Existing law governs the business of insurance and authorizes the Insurance Commissioner to provide oversight over the insurance industry including, life and disability insurance, health insurance, workers' compensation, and liability insurance. Insurance in the state is divided into classes including, among other things, miscellaneous insurance, which includes any insurance not included in the foregoing classes but which is a proper subject of insurance.

This bill would add pet insurance as a type of miscellaneous insurance, define certain terms, and specify certain disclosures an insurer of pet insurance is required to make to consumers. This bill would apply to a policy of pet insurance that is marketed, issued, amended, renewed, or delivered to a resident of this state, on or after January 1, 2015, regardless of the status of the contract or master group policyholder, or the jurisdiction in which the contract was issued or delivered. This bill would require an insurer of pet insurance to disclose, among other things, whether the policy excludes coverage because of a preexisting condition, a hereditary disorder, or a congenital anomaly or disorder. This bill would authorize the commissioner to hold a hearing to determine if an insurer is in violation of the provisions governing pet insurance and to assess a civil penalty, which is to be determined by the commissioner but not to exceed \$5,000 for each violation, or \$10,000 for a willful violation. The hearing would be required to be conducted pursuant to the Administrative Procedure Act, except as specified, and a person found to be in violation may have the proceedings reviewed by means of any remedy pursuant to a specified statute or the Administrative Procedure Act.

F. AB 2058 – WILK – OPEN MEETINGS

SUPPORT: None on File

OPPOSITION: *California Board of Accountancy
Board of Registered Nursing

HEARING LOCATION/DATE: Assembly Government Organization 4/2/14 Vote 19-0
Assembly Appropriations

ACTION – Board Position

The Bagley-Keene Open Meeting Act requires that all meetings of a state body, as defined, be open and public and that all persons be permitted to attend and participate in any meeting of a state body, subject to certain conditions and exceptions.

This bill would modify the definition of "state body" to exclude an advisory body with less than 3 individuals, except for certain standing committee

* The California Board of Accountancy (CBA) writes in opposition of the bill stating that AB 2058 would prevent the CBA, and all of its various committees, from asking fewer than three members to review a document, draft a letter, provide expert analysis, or work on legal language without giving public notice. Under current law, the advisory activities of these one or two members are already vetted and voted upon in a publically noticed meeting of the whole committee or board. This bill would prevent the CBA, and all of its various committees, from asking fewer than three members to review a document, draft a letter, provide expert analysis, or work on legal language without giving public notice.

In Addition, CBA states that making advisory activities of one or two members open to the public will greatly increase costs as a staff member would need to travel to attend the meeting for the purpose of

recording minutes. Agencies would also need to contract for meeting space that would be able to accommodate the public, thus incurring further costs.

G. SUNSET EXTENSION BILL – SB 1243- LIEU - SENATE BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT

**HEARING LOCATION/DATE: Assembly Business, Professions and Economic Development
4/28/14**

ACTION – Board Position

SB 1243, as amended, Lieu. Professions and vocations.

(1) Existing law regulates the practice of veterinary medicine. Existing law, until January 1, 2016, provides for a Veterinary Medical Board within the Department of Consumer Affairs. Existing law, until January 1, 2016, authorizes the board to appoint a person exempt from civil service to be designated as an executive officer of the board, as specified. This bill would extend those provisions until January 1, 2017.

- Possible amendments to Veterinary Assistant Controlled Substance Permit- Section 4836.2(c)- APA Proceedings
- Any technical clean-up necessary