

# ONTARGET

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## AB 2183 INFORMATIONAL UPDATE

On September 28<sup>th</sup>, Governor Gavin Newsom signed AB 2183. This legislation is the newest version of card check that will strip agricultural employees of their right to an impartial secret ballot election.

The team at **Barsamian and Moody** has put together a comprehensive memo outlining the different parts of the bill and the agreement to introduce clean-up language in the next legislative session. Please click below to access the information:

The Truth About AB 2183  
AB 2183 Chart

*The goal of this article is to provide employers with current labor and employment law information. The contents should neither be interpreted as, nor construed as legal advice or opinion. The reader should consult with Barsamian & Moody at (559) 248-2360 for individual responses to questions or concerns regarding any given situation.*

## END OF LEGISLATIVE SESSION UPDATE



The California State Legislature adjourned the 2021-2022 Legislative Session on Thursday, September 1st. Governor Newsom signed 997 bills into law and vetoed 169. Below are the bills that were of particular interest to CFFA focused throughout the year. For a complete list, please contact Director of Government and Public Policy,

Adam Borchard ([aborchard@cafreshfruit.com](mailto:aborchard@cafreshfruit.com)).

### AB 2146 (Bauer-Kahan) – Neonicotinoid pesticides: prohibited nonagricultural use.

Summary: Would prohibit, beginning January 1, 2024, the sale, possession, or use of neonicotinoid pesticides, as defined, for application to outdoor ornamental plants, trees, or turf, except for use on, or for the protection of, an agricultural commodity, as defined. The bill would authorize the Director of Pesticide Regulation, in consultation with the Department of Food and Agriculture, to authorize, by written order, the sale, possession, or use of these prohibited pesticides if the director finds that it would address a valid environmental emergency and there are no other, less harmful alternatives, as specified, and would require the director to make reasonable efforts to inform the public of an environmental emergency finding. The bill would also authorize a certified qualified applicator to possess or use a neonicotinoid pesticide and a licensed pest control dealer to sell a neonicotinoid pesticide as provided. The bill would provide that these provisions do not apply to certain actions and applications of these pesticides. Because a violation of these provisions and the regulations adopted pursuant to these provisions would be a misdemeanor, the bill would impose a state-mandated local program.

Outcome: Passed out of the Senate 30-4 and amendments concurred in the Assembly 53-18. Governor Newsom vetoed AB 2146 on September 28, 2022.

### AB 2784 (Ting) – Solid waste: thermoform plastic containers: postconsumer thermoform recycled plastic.

Summary: The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, requires a rigid plastic packaging container, as defined, sold or offered for sale in this state, to meet, on average, at least one of 5 specified criteria, including that the container be made from 25% postconsumer material. This bill, commencing January 1, 2025, would require the total thermoform plastic containers sold or imported by a producer, as defined, to contain, on average, specified amounts of postconsumer thermoform recycled plastic, as defined, per year pursuant to a tiered plan that would require the total thermoform plastic containers to contain, on average, and depending on the recycling rate, no less than 20% or 30% postconsumer recycled plastic per year on and after July 1, 2030. The bill would exempt from these requirements, as specified, thermoform plastic containers used to package dairy products if the department determines pursuant to an application submitted by one or more dairy products manufacturers that certain conditions exist. The bill would require, on or before March 1 of each year, a producer to report to the department, under penalty of perjury, the amount in pounds of all thermoform plastic containers sold in or imported into the state for the preceding calendar year, the number of containers returned and refilled, and the amount in pounds of each type of postconsumer resin used in those containers.

Outcome: Passed out of the Senate 22-11 and amendments concurred in the Assembly 41-24. Governor Newsom vetoed AB 2784 on September 19, 2022.

### AB 2836 (E. Garcia) –Carl Moyer Memorial Air Quality Standards Attainment Program: vehicle registration fees: California tire fee.

Summary: Current law, beginning January 1, 2024, limits the Carl Moyer Program to funding projects that reduce emissions of oxides of nitrogen (NOx) from covered sources. Current law, until January 1, 2024, defines covered source for purposes of the Carl Moyer Program to include any marine vessel and any other category necessary for the state and air districts to meet air quality goals. This bill would extend the current authorization for the Carl Moyer Program to fund a broader range of projects that reduce emissions from covered sources until January 1, 2034.

Outcome: Passed out of the Assembly 65-0 and the Senate 39-0. Governor Newsom signed AB 2836 on September 16, 2022.

The final days of the Session also included a couple Budget Bill Juniors which clarified some of the spending from the budget adopted in June. Additional expenditures adopted on the last night of the session include:

- \$1 million to the Strategic Growth Council to establish a California Agricultural Land Equity Task Force
- \$23.75 million for the Food Production Incentive Program
- \$1.07 million for CDFA and Integrated Pest Management
- \$8 million to DIR to adopt an Extreme Heat Action Plan
- \$10 million to CDFA for livestock enteric emissions research
- \$20 million to CDFA for alternative manure management plans
- \$60 million to CDFA for SWEEP
- \$48.75 million for immediate drought relief

\$56 million for implementation of the Sustainable Groundwater Management Act  
 \$127 million for drought resilience  
 \$43 million for water rights modernization  
 \$40 million for Multi-benefit Land Repurposing Program

## CCFA PARTICIPATES IN WASHINGTON CONFERENCE

CCFA President Ian LeMay, Director of Government and Public Policy Adam Borchard, and Director of Member Services and Communications Courtney Razor, traveled to Washington D.C., to participate in the International Fresh Produce Association's Washington Conference held September 26<sup>th</sup> – 28<sup>th</sup>.



The conference covered a wide range of topics, including discussions on immigration reform, supply chain issues, and

the Farm Bill. Featured speakers included USDA Secretary Tom Vilsack, USDA Undersecretary for Marketing and Regulatory Programs, Jenny Lester Moffitt and Senior Supply Chain Advisor for the Biden-Harris Administration Elaine Trevino. Staff participated in several meeting with Senate and Congressional offices on Capitol Hill. For additional information, please contact President Ian LeMay ([ilemay@cafreshfruit.com](mailto:ilemay@cafreshfruit.com)).

## EDUCATIONAL WEBINAR WITH GREENSPAN PUBLIC ADJUSTERS

CCFA and The Greenspan Co./Adjusters International will host an educational webinar focusing on product recalls on Tuesday November 1<sup>st</sup>, at 10 a.m. via Zoom.

The discussion will focus on accidental contamination, third party recalls, product refusal, recall expenses and what is included in insured products. For additional information or to register, please visit ([https://us06web.zoom.us/webinar/register/WN\\_-tA2iAUCRau7Xg\\_sUhGfgw](https://us06web.zoom.us/webinar/register/WN_-tA2iAUCRau7Xg_sUhGfgw)).



## 41<sup>ST</sup> ANNUAL AGRIBUSINESS CONFERENCE SET FOR NOVEMBER 16<sup>TH</sup>



The Fresno State Jordan College of Agricultural Sciences and Technology will host the 41<sup>st</sup> Annual Agribusiness Management Conference on November 16<sup>th</sup> at 9 a.m. The seminar will focus on challenges the California

agricultural industry is facing, with an emphasis on supply chain and inflationary issues. Early bird registration is \$50 through November 1<sup>st</sup>. CCFA is proud to be a supporting sponsor of the event.

For additional information and to register, please visit (<https://icast.fresnostate.edu/ifa/announcements-events/ag-business-conference/index.html>).

## CCFA'S HARVEST EVENT JUST ONE WEEK AWAY

California Fresh Fruit Association PAC would like to invite you to join us for our 43<sup>rd</sup> Annual Harvest Event, taking place from 6-9 p.m. on Friday, October 21<sup>st</sup> at the Vintage Press Restaurant (216 N. Willis, Visalia).

Less than 20 numbers remain! Be sure to register for the event to get the chance to win one of many great prizes, including the \$5,000 grand prize!

Ticket cost is \$300 and includes dinner for two and one Reverse Drawing number. Ticket cost for one Reverse Drawing number is \$200. All proceeds benefit the Association's political action committee, FruitPAC.

You may also register, sponsor, & pay for the harvest event online! Simply use the following link (<http://events.constantcontact.com/register/event?llr=tcpx4zdab&oei=dk=a07ej8wfmag3e5e1af8>) to reserve your ticket number & pay with a credit card via PayPal (you do NOT need to have a PayPal account in order to use this option).

Sponsorship Opportunities: Our Associate Members may also use our online registration to become event sponsors! The cost of a Silver Sponsorship is \$1,000 and includes two dinners & one number. The cost of a Gold Sponsorship is \$1,500 and includes four dinners & two numbers.

Both Sponsorship levels will also receive promotional consideration before, during, & after the event, in the form of recognition in OnTarget, our Harvest Event program, Annual Report & more! We hope that you will support this very important event.

For more information, please contact Adam Borchard ([aborchard@cafreshfruit.com](mailto:aborchard@cafreshfruit.com)) or Allyson Calderon ([acalderon@cafreshfruit.com](mailto:acalderon@cafreshfruit.com)).

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