



May 17, 2021

The Honorable Richard Pan
 Senate Committee on Health
 State Capitol, Room 5114
 Sacramento, California 95814

The Honorable Andreas Borgeas
 Senate Committee on Agriculture
 State Capitol, Room 3082
 Sacramento, California 95814

RE: AB 535 (Aguiar-Curry) – Agriculture: olive oil: labeling. (OPPOSE UNLESS AMENDED)

Dear Chairperson Pan,

The above listed farmers, millers, industry professionals, food processors, and retailers must respectfully **OPPOSE** AB 535 (Aguiar-Curry) **UNLESS AMENDED**. AB 535 criminalizes the selling of olive oil with brand names containing geographical terms, including “California” and regional names such as “Yosemite” or “Sacramento.” Blending olive oil from a variety of locations is common industry practice, such as blending with an assortment of high-quality extra virgin olive oils (EVOO) from across the world or other quality oils to meet consumer and dietary preferences. This bill also establishes a concerning precedent for regulating businesses with geographic names and trademarks in other food and agriculture industries.

California’s olive oil industry has roots back to the Spanish missionaries planting olive trees in the late 18th century. However, the commercial industry we know of today started in 1998 when there were only 900 acres of land committed to olive oil production in California. Twenty-three years later, there are approximately 22,000 acres in production and more acres planted every year. Our quality and farming techniques of high-density olive oil production have fostered successful millers headquartered in California and attracted investment and corporations from across the world as far away as Australia.

AB 535 would require every bottle of olive oil produced by a brand that has the word or a version of “California” in their brand name or federally registered trademark to have 100% California-grown olives inside. For brands and trademarks with a geographic regional name, such as Napa or Temecula, 85% of the oil must come from olives grown within the named region. While most of the millers and retailers have 100% California olive oil lines, requiring every bottle to meet these standards ignores the supply and demands of the retail industry, and consumers that demand high-quality California standard-compliant olive oil at every price point.


This bill would make selling these geographic products a misdemeanor and risk criminal penalties for the retailers and store employees.

We have provided amendments to the author that would address AB-535's intention to ensure that any olive oil products that make "California" representations remain 100% from California, and regional representations contain at least 85% oil from olives grown in the region, but with protections for federally registered trademarks. We have also provided an option to require additional labeling for olive oil blends including front of the package country of origin labeling to ensure consumers are not confused. These amendments would bring California law into compliance with federal law and avoid costly litigation and federal challenges.

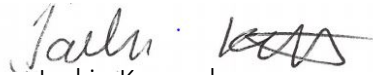
AB 535 as currently drafted will not only restrain the growth of the California olive oil industry but will negatively impact consumers who will not benefit from high-quality olive oil at a price point they can access.

For these reasons, we must remain OPPOSE UNLESS AMENDED to AB 535 (Aguiar-Curry).

Sincerely,



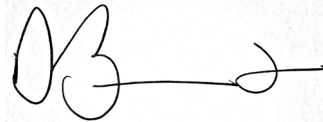
Michael Fox
CEO
California Olive Ranch



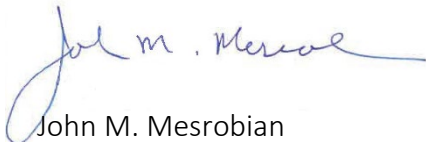
Jackie Kennedy
Owner
Knaughty Farms Olive Oil



Steve McCarthy
Vice President, Public Policy
California Retailers Association



Don Barioni Jr
Owner
Imperial California Olive Mill



John M. Mesrobian
Managing Partner
The Mill at Kings River, LLC



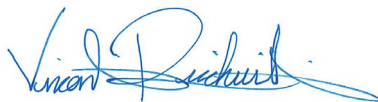

William S. Smittcamp
President
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Patrick V. Ricchiuti
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Raymond and Kathleen Rogers
Owners
Corning Olive Oil Company



Vincent A. Ricchiuti
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Michael Brossier
Owner
The Olive Oil Factory



David F. Nickum
President and CEO
Valley Farm Transport



Sean Sheelen
President
Sonoma Gourmet



John Fagundes
Owner
Cal-King



Scott Miller
President & CEO
Fresno Chamber of Commerce



Christina Beckstead
Executive Director
Madera County Farm Bureau



Ryan Jacobsen
CEO
Fresno County Farm Bureau

cc: The Honorable Cecilia Aguiar-Curry