

California Olive Oil Labeling Legislation

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On September 8, 2021, a bill on olive oil labeling in California was sent to the Governor for signature. Originally the bill was opposed by California Olive Ranch, the company whose labeling practices largely inspired the legislation. After several amendments were made, California Olive Ranch reversed its opposition and backed the amended legislation.

The bill, [AB 535](#),

[\[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB535\]](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB535) by Assemblymember Cecilia Aguiar-Curry, was originally written to close a loophole in California law by seeking to regulate the use of the word “California”—and the names of geographical regions of California—on olive oil labels, similar to existing regulations for California wine. As originally written, if an olive oil label said or implied “California” on the label, the product had to be 100% California-grown olive oil. Modeled on California wine industry regulations, it also stipulated that a product bearing the name of a region—Napa Valley, for example—had to contain at least 85% olive oil produced in that region.

AB 535 was primarily a response to a product line from California Olive Ranch that contains a majority imported olive oil yet says CALIFORNIA in the biggest letters on the label. The history of this import-California blend product, most recently named the Global Blend series, is outlined in detail [here](https://www.oliveoil.com/californias-fight-over-olive-oil-labels-what-ab535-means-for-consumers/). [\[https://www.oliveoil.com/californias-fight-over-olive-oil-labels-what-ab535-means-for-consumers/\]](https://www.oliveoil.com/californias-fight-over-olive-oil-labels-what-ab535-means-for-consumers/)

Amendments to the bill have changed the scope considerably. The current version of the bill says that if the word California is used on the label of a product containing non-California olive oil, in a similar size font it must list the percentage of California-grown oil on that same label. There is no restriction on font style or colors, just that the font size must be as large as the largest font used to print “California” on the same panel. The required wording is: The percentage shall be declared by the words, “ ___percent (or ___%) California” or “ ___percent (or ___%) California olive oil.”

The law still contains language regarding specific regions of California: “Olive oil... that indicates on its label that it is from a specific region of California shall be made of oil at least 85 percent of which... is derived from olives grown in the specified region.” But it also says: “This section does not prohibit an olive oil producer or processor from using a truthful, nonmisleading statement or representation regarding the geographic origin of the olives used in the production of the olive oil...” According to a law firm’s analysis in the National Law Review, this means that wording like “Napa Valley Naturals” is still legal on a non-Napa Valley product, but “Napa Valley olive oil” would not be permitted.

In interviews, California Olive Ranch CEO Michael Fox expressed satisfaction with “the compromises reached in the Senate.” Mr. Fox is quoted as saying, “It’s a compromise, and we were really grateful for the author’s office for being willing to work with us and hats off to the

Senate Agriculture Committee. I don't think everyone got what they wanted, but that's what compromise is, getting to a place that we can all live with."

Samantha Dorsey, president of McEvoy Ranch, a producer of 100% California products, put it differently. "The California olive oil industry has a long way to go in terms of transparency and truth in labeling. AB 535 is one solid step in the right direction, as it will require the percentage of California olive oil that is in the bottle to be written on the front panel of the bottle," said Ms. Dorsey. "There is more that we can do as an industry to help our customers choose wisely but this bill helps move us in a good direction."

Another California farmer-producer, Greg Traynor of 43 Ranch, commented: "Although the passage of AB 535 is a positive step for consumers of California extra virgin olive oil, it falls short of the protection given the California wine industry. In effect, the law has sanctioned the blending of oils from different regions to be marketed under a banner that still allows for companies to use regional names without clearly identifying where all of the oil is sourced. The information will be on the label, but consumers will need to look carefully to determine whether the product they are buying is actually from California, or if it is a blend of cheaper oils."

The Governor of California is expected to sign the bill.