

Assemblymember Steve Bennett

38th Assembly District



AB 3162 Oppose Cruelty to Octopuses (OCTO) Act

SUMMARY

AB 3162 would prevent the practice of octopus aquaculture for the purpose of human consumption and the sale of farmed octopus in the state of California.

BACKGROUND

Aquaculture, also known as fish farming, is the practice of breeding, rearing, and harvesting fish, usually for human consumption. In California alone, according to the Department of Fish and Wildlife, 5,740 acres of public tidelands are leased to marine aquaculture, primarily in Tomales Bay, Monterey Bay, Morro Bay, Santa Barbara, Agua Hedionda Lagoon, and San Diego Bay.

As of 2019, California had 84 registered facilities farming oysters, mussels, clams, abalone (only 3 commercial facilities), and seaweed. California's existing aquaculture facilities are estimated to generate \$200 million of economic activity. Notably, California is able to retain a robust aquaculture industry without the need to farm finfish, and without adverse impacts on more sentient creatures.

California is working towards creating an Aquaculture Action Plan that includes a focus on ensuring environmental and public safety benefits. However, as seafood consumption grows, there is an increased financial incentive to farm new species. A company in Spain is proposing to build the first commercial-scale octopus farm. In Hawaii, a farm was found to be breeding and cultivating octopuses illegally.

This burgeoning desire to farm octopus is occurring in spite of existing evidence showing that octopuses are sentient creatures that can use tools, recognize faces, and show keen awareness of their surroundings. As a result of growing research, the National Institute of Health has proposed guidance that would require any research involving cephalopods to be approved by an ethics board in order to receive federal funding.

Aside from the cruel acts these sentient beings are subjected to when slaughtered for human consumption, including clubbing and asphyxiation, octopus farming also poses an environmental risk. As carnivorous animals, farmed octopuses would need to be fed feeder fish at approximately a 3-1 ratio, resulting in an inefficient means of producing food. Octopus farming would also pose a risk to water quality as a result of pollution and eutrophication.

THIS BILL

AB 3162 preemptively bans the practice of octopus farming, and the importation of farmed octopuses. California has established an aquaculture industry that minimizes its cruelty to animals and maintains environmental safeguards. Banning the inhumane practice of octopus farming before it can develop makes clear the state's commitment to upholding the values of animal welfare and environmental stewardship.

SUPPORT

Animal Legal Defense Fund (Sponsor)
Social Compassion in Legislation (Sponsor)

OPPOSITION

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