

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 its sale in the state.

BACKGROUND

Aquaculture, also known as fish farming, is the [practice of breeding, rearing, and harvesting aquatic organisms](#), often for human consumption. In California alone, 5,740 acres of public tidelands are leased to marine aquaculture, according to the [Department of Fish and Wildlife](#), primarily located 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. In Spain, for example, a desire has been expressed to [begin farming octopus](#). Additionally, [in Hawaii, a farm](#) was found to be breeding and cultivating octopuses illegally.

This burgeoning desire for farming octopus is 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 research involving cephalopods to be approved by an ethics board in order to receive federal funding.

Aside from the cruel acts that occur to these sentient beings 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, which has resulted in a [large portion of emissions for certain farmed fish](#). Although California aquaculture is done responsibly, allowing octopus farming would pose a risk to water quality as a result of pollution and eutrophication.

THIS BILL

AB 3162 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. Pro-actively banning the inhumane practice of octopus farming 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

CONTACT

Alexander Soto
Legislative Director
(916) 319-2038 ♦ (916) 319-2138 (fax)
Alexander.Soto@asm.ca.gov

CAPITOL OFFICE

Swing Space, Room 4710
SACRAMENTO, CA 95814
TEL: 916.319.2038
FAX: 916-319-2138

DISTRICT OFFICE

300 E. Esplanade Drive, Ste 1790
Oxnard, CA 93036
TEL: 805.485.4745
FAX: 805.485.4779