

# Reporting Pesticide Incidents and Illnesses

## At a Glance

- **If this is an emergency and people are ill, call 911.**
- If you have questions or concerns about a pesticide application, call your County Agricultural Commissioner as soon as possible. You can get the number and be connected toll-free by calling 1-87PestLine (1-877-378-5463).
- Agricultural Commissioners investigate pesticide incidents and illnesses, and can assess fines and other penalties if laws have been broken.
- You can use the form on page 30 to make notes about a pesticide incident to help answer questions an investigator may ask.



If you see a pesticide problem or have a question about an application, call your County Agricultural Commissioner. The number is on the inside back cover of this booklet. You can also call DPR's information line, 1-87PestLine (1-877-378-5463).

## How do I report a pesticide problem?

Many cases of pesticide misuse don't involve emergencies. But emergency or not, pesticide problems should be reported so they can be investigated. Call the County Agricultural Commissioner's office. They will look into your complaint. The phone number is on the inside back cover of this booklet, or call 1-87PestLine to be connected. After-hours or on weekends, call the non-emergency number of your local police or sheriff's department. (You can find the number in the government pages of your local phone directory.) They will contact appropriate authorities.

Don't delay reporting. Prompt reporting is the best way to make sure investigators can find the facts of the case and collect useful evidence.



If you file a complaint about pesticide use, you will be asked for certain information. You can use the form beginning on page 30 to make notes before you call.

Will I be told the results of the investigation into my complaint?

If you ask, the Commissioner's office will let you know in writing the results of the investigation.

After you have handled any medical emergency, you may want to write down what happened. The form beginning on page 30 will help you make notes. If you don't have the form handy, here are the general things you should write down:

- When and where the incident happened.
- Who was involved (if you know).
- What you saw.
- What you smelled, if anything.
- Names and symptoms of anyone who was sick.

Remember: You can file your complaint anonymously with your Agricultural Commissioner, if you wish. But it helps the county's follow-up investigation if you leave your contact information. You can also ask the county to send you written information on the outcome of the investigation.

If you don't want anyone to know you made a report, you can ask the Commissioner's office not to reveal your name.

## What happens when I file a complaint?

The Agricultural Commissioner's staff will gather evidence to find out if pesticide laws were broken. They typically:

- Interview the people involved. This may include you, the applicator, the property operator, workers, neighbors, and others affected by or near the incident.
- Collect evidence for laboratory analysis.
- Check pesticide use records and laboratory results to find out if a pesticide was used, what it was, and if it drifted.
- Write a report on the investigation.
- If the evidence shows that laws were broken, the Agricultural Commissioner can penalize the violator.
- Let you know in writing the result of the investigation into your complaint, if you request it.

Completing these steps may take weeks or months, depending on the complexity of the investigation.

## Who investigates pesticide illnesses?

County Agricultural Commissioners investigate all reported pesticide-related illnesses. If you go to a doctor or the hospital, make sure the doctor knows to call the County Health Officer to report the illness. A doctor's report can help in the investigation and in setting penalties for violators.

After the Agricultural Commissioner's staff complete their investigation, they prepare a report describing what occurred. If they found violations, they can also assess fines and other penalties. Agricultural Commissioners send their reports to DPR where scientists look for illness trends and potential problem areas. Scientists at DPR and the U.S. Environmental Protection Agency also rely on the information to improve use practices and safety information on pesticide labels.



To investigate complaints, staff from the County Agricultural Commissioner's office will gather evidence to find out if pesticide laws were broken.

## What are the penalties for breaking pesticide use rules?

Penalties are based on how serious the violation was. They include warning letters, fines imposed by the Commissioner or a court, and action that suspends or cancels a violator's license to do business. Fines start at fifty dollars for minor offenses to as high as tens of thousands of dollars for violations where people are injured. Regulations spell out when Agricultural Commissioners should impose a fine, based on how serious the violation was and the violator's record.

Commissioners can also work with local district attorneys to prosecute serious cases. Incidents are considered serious when someone is hospitalized, when several people are injured, or when there is significant property or environmental damage.



What if the environment or wildlife is harmed?

We at DPR work closely with the County Agricultural Commissioners and the California Department of Fish and Wildlife to investigate pesticide incidents that harm birds, fish, or other wildlife. We also work with State and Regional Water Boards on complaints involving contamination of rivers and streams. Commissioners, the Fish and Wildlife Department, and the Water Boards can impose penalties for damage to wildlife or the environment.

You can report industrial and agricultural pollution that harms fish and wildlife by calling CalTIP, "Californians Turning In Poachers and Polluters," managed by the California Department of Fish and Wildlife. The toll-free number--1-888-DFG-CALTIP (1-888-334-2258) operates 24 hours a day, 7 days a week. You may remain anonymous.

## **If I am not satisfied with the results of the investigation, what should I do?**

If your complaint was not handled the way you expected, you should call the Agricultural Commissioner's office and ask to speak to the Commissioner directly about your concerns. We want to ensure that people understand the answers they receive and that their concerns are handled correctly. We encourage you to work with the Commissioner's office. You can also call the Department of Pesticide Regulation where staff can explain the process. You'll find phone numbers at the front of this booklet.

## **What information do I need to file a complaint?**

The County Agricultural Commissioners need to know what you saw, heard, or smelled. If plants were in the path of a drift, you may wish to take pictures so you can show what they were like before they were affected. Damage to plants sometimes takes a while to appear. But remember that many things can damage plants, including frost, insects, diseases, or too much or too little watering. Try to eliminate these causes first. The Master Gardeners at your UC Cooperative Extension office can help you diagnose plant problems.

Write down everything you saw, heard, or smelled as soon as you can. Be as factual as possible. The form on beginning on page 30 will help you put down your thoughts and observations. If you can't write down the information yourself, ask someone to help.