



Raising the Bar: How Protecting You from Pesticides Has Changed

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Milton O'Haire, Stanislaus County



Ruben Arroyo, Kern County



Lottie Martin, Santa Barbara County



Karen Stahlman, Monterey County

When David Robinson started as the agricultural commissioner in Merced County more than a decade ago, life was much simpler. He pretty much worked an eight to five office job.

Today, **it's a lot more complicated and** his staff often works round the clock doing pre-site application inspections and reviewing fumigation work plans, working closely with applicators and growers to ensure that proper safety measures are taken.

The average county agricultural commissioner is expected to be current on the constantly evolving federal and state laws and regulations to educate growers and **applicators so they don't** allow pesticides to harm people or the environment. As a teacher and communicator, their job as commissioner has changed. The good old days of managing a pesticide regulatory program while sitting behind a desk is long gone.

"It is not unusual for our biologists to get calls at home late at night or at weekends from someone who has questions about an upcoming pesticide application," explains Robinson.

In 2012, Merced County agriculture commodities grossed a record high of \$3.25 billion, **according to the county's latest crop report**, with almonds, sweet potatoes and tomatoes worth about \$750 million alone that year.

"Agriculture is important to California and we have to ensure that the chemicals are used safely," Robinson said.

In the 26 years that Robinson has been working in the county agricultural system, he says it never gets dull or boring. **And it's never easy.**

"I would say this job is at least eight times more complicated than it used to be," he said.

Robinson is one of **California's 55** county agricultural commissioners (CAC). There are more than 1,000 biologists statewide, with about 350 of them dedicated to enforcing pesticide laws at the county level. This includes the responsibility of inspecting growers, applicators, farm labor contractors and others in the county who may handle pesticides.

Overseen by the state agency, Department of Pesticide Regulation (DPR), the role of the CAC is unique. Part of their role is to investigate pesticide exposure incidents and complaints at the county level, issue restricted materials permits, and are the interface between the local community and state regulators.

"The biologists and inspectors are our boots on the ground," said DPR Enforcement Branch Chief George Farnsworth. "They are, in short, the local enforcement officer who keep people accountable, uphold pesticide laws and levy fines."

In 2013, the Santa Cruz County Agricultural Commissioner coordinated with DPR on an investigation regarding the illegal use of a pesticide on strawberries. The commissioner referred the case to DPR, which resulted in the state fining a grower \$15,000. Apart from the monetary fine, the commissioner ordered the destruction of the strawberries, valued at about \$200,000.

Besides an increase in the number of people wanting to grow crops, there are more safeguards in place that **require a commissioner's** attention. A lot of commissioners insist that new growers and pesticide applicators take a class before they even submit a request to apply pesticides. That means more legwork to ensure growers are certified to use pesticides, outreach to let farmers know about classes, and the ability to get the word out to diverse populations.

That's the case in Stanislaus County, where there are classes aimed at the local Hmong community. The County Agricultural Commissioner, **Milton O'Haire**, wants to ensure they are trained on how to use fumigants – a type of pesticide that is injected into the soil before growing crops like strawberries, cling peaches, spinach, tomatoes and other crops. As many as 20 people took the class last year.

Requiring more training from people who apply pesticides is just part of the increased vigilance that commissioners show towards fumigants. Today, you are likely to find them trudging all over fields early in the morning, with copies of permits and other documents in hand.

Stanislaus County does a pre-site inspection on every fumigant application.

“Sometimes we have had to make people change their plans because the fumigations takes us too close to a school, or an area that may be hard to evacuate in an emergency,” said **O’Haire**. “Sometimes we have told applicators, ‘Sorry, you **can’t** use **this product,**’ or ‘Postpone your fumigation to a later date.’”

This may temporarily delay the applicator, but O’Haire says he believes that the regulations are there to protect public safety. He says that the people using these products are certified professionals and understand the restrictions, even if they do not like them.

“They work very closely with us to figure out how to get things done the right way,” he said.

Extensive outreach to minority applicators is important, agreed Kern County Agricultural Commissioner Ruben Arroyo.

“There is a lot more diversity among applicators and growers than in previous years and we are ever vigilant about safety,” Arroyo says. His CAC office has worked with various organizations like UC Cooperative Extension to help reduce incidences of drift to historic lows.

Ever-changing state and federal regulations are another job challenge for the county staff.

“A few years ago the labels (instructions on use) were just three or four pages long,” recalls Lottie Martin of the Santa Barbara County **Agricultural Commissioner’s** office. “Nowadays they can be more than 28 pages long, so we often have to spend a lot of time to help applicators and growers understand how they can use them safely.”

As the supervising agricultural biologist, Martin says she and her team holds lots of meetings with growers and professionals explaining what chemicals can and cannot be used. And with the regions growers now planting a variety of crops including carrots, blueberries and increasingly strawberries, she says there as many as 200 fumigations in the county, all year round. Martin estimates that staff spends upwards of six hours per fumigant work site plan. But, she says, the most challenging times are when the weather changes and all the carefully laid plans must be adjusted. It’s challenging, she says with a sigh.

“We have to work with wind and heat and always be prepared for change,” Martin said.

Constant communication is important.

“Sometimes we will work with a grower, who wants to use a pesticide on a particular plot of land,” said Karen Stahlman, Chief Deputy Agricultural Commissioner for Monterey County. “We spend a lot of time educating them about the complex rules and

regulations. But then that grower sells or leases the land to someone else. And we have to work with the new person all over again.”

Stahlman says the county holds lots of workshops and outreach events in English and Spanish.

“It seems relentless. It takes up a lot of energy but we feel it is critical to prevent misunderstandings,” she said.

Robinson says he expects the role of commissioners and their staff to change even more in the future if California is to continue to be a major food supplier of the world. **He’d love to see more young** college graduates developing an interest in field.

“This is a world where you have to have a passion for people, the environment,” Robinson said. **“It’s a worthwhile challenge and no two** days are the same.