

County Agricultural Commissioners

California law designates the Department of Pesticide Regulation (DPR) as the agency responsible for delivering an effective statewide pesticide regulatory program. The Legislature also delegated local administration of pesticide use enforcement to county agricultural commissioners (CACs), governed by state laws and regulations and DPR's guidance. DPR uses its statewide authority to assist CACs in planning and developing county programs.

County boards of supervisors appoint agricultural commissioners in all the state's 58 counties to direct offices staffed by county employees. All CACs must be licensed by the state. A handful of small counties share commissioners, so there are fewer than 58 CACs in the state. CACs get pesticide enforcement funding from DPR and their own county government. Other CAC funding comes from grants, fees, fines and the California Department of Food and Agriculture (CDFA). CACs enforce state laws and regulations that cover environmental protection, pest prevention, worker and consumer protection, and other special services.

The size and diversity of California agriculture and the state's large population (with many people living near agricultural fields) require a more complex partnership between state and local pesticide regulatory authorities than anywhere in the nation. Many other states have only a relative handful of inspectors, employed by the state's lead pesticide agency to conduct pesticide enforcement. California stands apart with its agricultural commissioners and their combined staffs of approximately 280 inspector-biologists who serve as the field enforcement agents for federal and state pesticide laws and regulations.

CACs inspect the operations and records of growers, nonagricultural applicators (for example, industrial, institutional), agricultural and structural pest control businesses, pest control dealers, agricultural pest control advisers, farm labor contractors and government agencies to ensure compliance with worker protection standards and other pesticide safety requirements. They certify private applicators, issue restricted material permits and operator identification numbers, train field workers, and conduct outreach to the public. Certain pesticide applications, such as aerial applications and soil fumigations with restricted materials, require CACs to provide extra regulatory oversight to reduce potential hazards. In addition, they oversee pesticide use reporting, promote best management practices and monitor applications in the field.

CACs regulate pesticide use to ensure applicators comply with label directions and pesticide laws and regulations. CAC staff conduct inspections to prevent misapplication or drift, and possible contamination of workers, the public and the environment. CAC biologists enforce regulations to protect ground and surface water from pesticide contamination, and protect endangered species and other wildlife. To do this, they may work with other regulatory agencies, such as California Department of Fish and Wildlife and regional water boards and the State Water Resources Control Board.

Among a CAC's most important responsibilities is investigating illnesses and injuries. All reported pesticide-related illnesses and injuries are investigated by the commissioner in the county in which the illness occurred. CAC biologists interview injured parties, other witnesses, and employers if the illness occurred at work. As part of the investigation, a CAC biologist may take a residue sample for laboratory analysis. (*For more information on illness and incident investigation, see Chapter 8.*) If the CAC determines a violation occurred and the law was broken, the commissioner takes a compliance or enforcement action.

In addition to pesticide laws, commissioners also enforce laws administered by CDFA, including those related to pest detection, exclusion and eradication, and quality standards for fruits and vegetables.

Although in most counties they are called agricultural commissioners, CACs have duties that range far beyond the farm gate. For example, CAC biologists check maintenance gardeners to ensure they are licensed to apply pesticides, and that their pesticides are labeled for professional landscaping and applied safely. They also inspect residential structural fumigations for termites and structural pesticide applications by professional applicators.

Since many pesticides are used in nonagricultural settings—sanitizers in municipal water treatment plants, disinfecting chemicals in food service facilities and hospitals—pesticide laws may overlap other areas where workplace safety is involved. Therefore, CACs may also work with the state departments of Industrial Relations and Public Health. They may work with the county's environmental health department on pesticide spills, and with county animal control on complaints about potential misuse of rodenticides. Commissioners also consult with state and federal forestry officials about pesticide use and invasive weeds.