

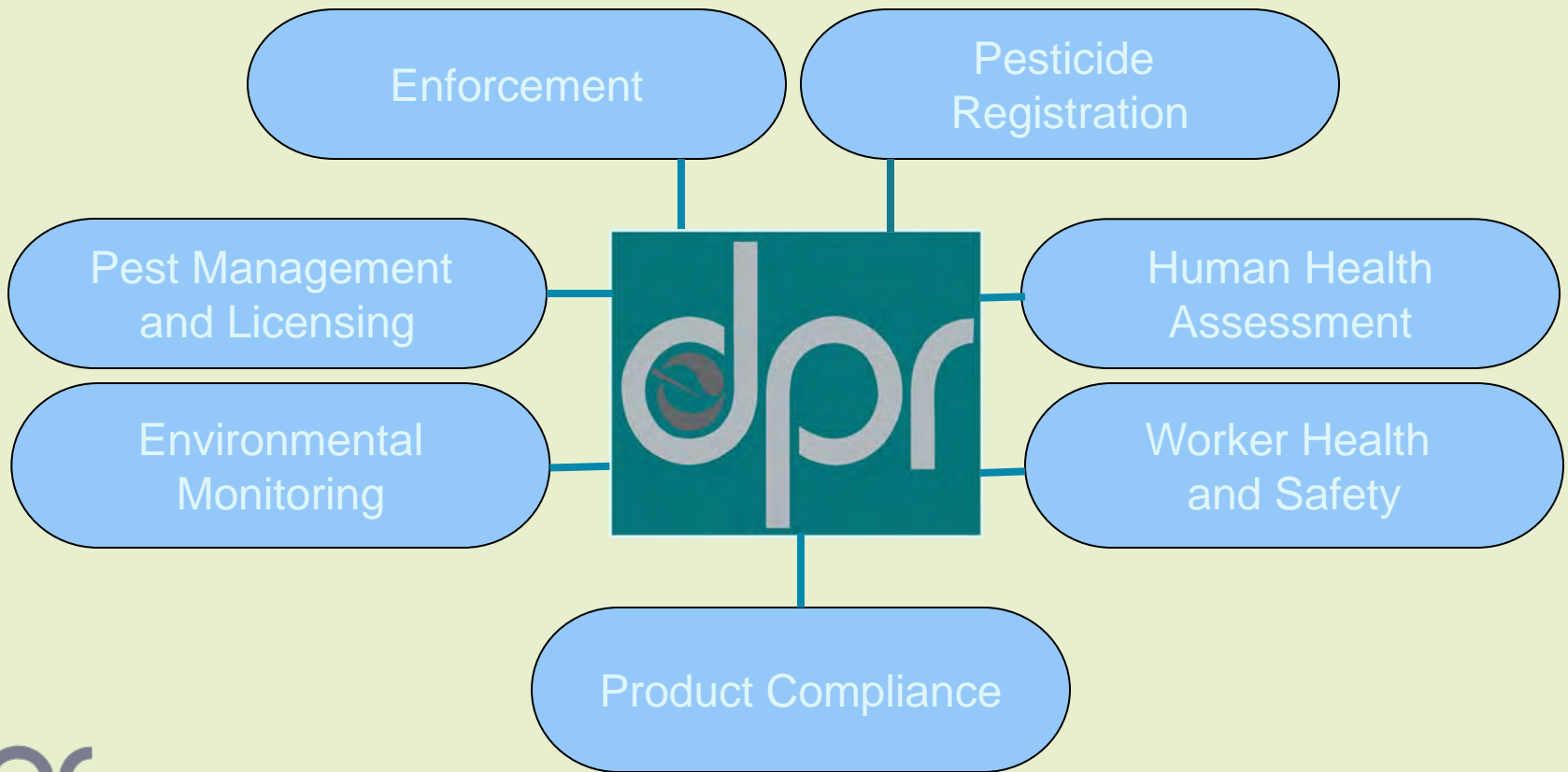
DPR Enforcement Branch & County Agricultural Commissioners (CACs)

State Water Board and DPR Workshop
November 9, 2015

Jim Shattuck
Environmental Program Manager
DPR- Enforcement Branch

DPR

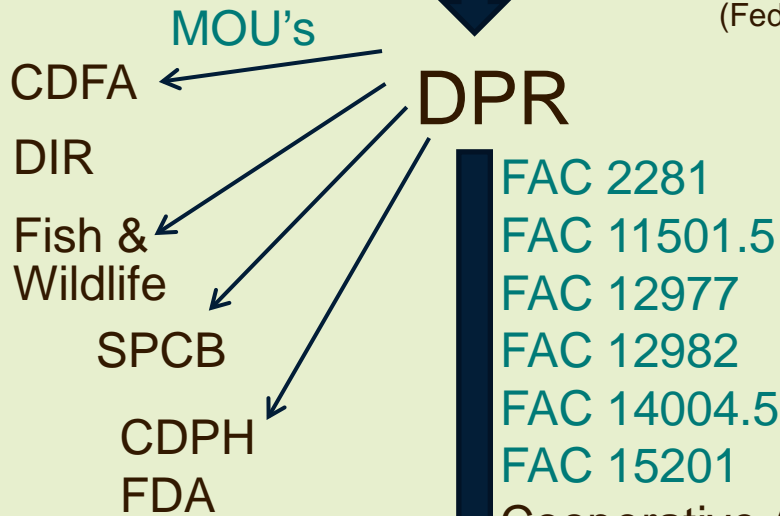
Department Organization



Authority for Regulating Pesticide Use

U.S. EPA

FIFRA delegates primary enforcement authority to states
(Federal Insecticide, Fungicide, and Rodenticide Act)



Cooperative Agreement* between U.S. EPA, DPR,
and CACASA

CAC's

Enforcement Branch Offices

- Headquarters Office
 - Sacramento
- Three Regional Offices
 - Northern- Sacramento
 - Central- Fresno
 - Southern- Anaheim
- Total Branch Staff = 62

**State of California
Department of Pesticide Regulation
Enforcement Branch
Headquarters and Regional Offices**

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dpr
Headquarters Location
Regional Office Location
<http://www.cdpr.ca.gov/docs/enforce/enmap.pdf>
(Rev. 8/2015)

Enforcement

Key Functions

- 1. Develop standards for safe pesticide use**, including laws, regulations and guidance (*Compendium and Enforcement Letters*)
- 2. Conduct outreach and training**
 - Train CAC's (new regs, structural, Compendium, etc.)
 - Assist CAC's with pesticide enforcement annual work plans
 - Provide outreach to the regulated community
- 3. Oversee and evaluate county pesticide enforcement programs to ensure consistency and effectiveness**
 - Conduct Oversight inspections with CAC inspectors
 - Effectiveness evaluation done at least every 3 years
 - Ensure appropriate enforcement response

Key Functions Continued

- 4. Monitor and enforce pesticide residues for food safety**
 - Annual Pesticide Residue Report

- 5. Compile and analyze data for accountability, uniformity and continuous improvement, including:**
 - County PUE Statistical Profiles (inspections, etc.)
http://www.cdpr.ca.gov/docs/county/enf_stat_profile.htm
 - Summary of CAC Civil Penalties for PUE
<http://www.cdpr.ca.gov/docs/enforce/admnacts/cvlpnlty.htm>

- 6. Structural Pest Control Board (SPCB) Liaison activities**
 - Provide annual structural enforcement training to CAC staff
 - Collaborate with SPCB on policy and enforcement

Enforcement

Food Safety Program

- Ensure pesticide residues on raw produce are in compliance with U.S. EPA tolerances
- Samples collected “throughout the channels of trade”
 - Wholesale and retail outlets
 - Distribution centers
 - Farmers’ markets



Enforcement

Food Safety Program

- DPR staff collect approximately 3,500 fresh produce samples annually
- Quarantine produce and levy fines against repeat violators
- Coordinate with FDA and CDPH (for health concern residue levels)



County Agricultural Commissioner System

- Started in 1881, CA Legislature provided counties with authority to establish local boards and Horticultural Commissions
- In 1920 developed into the County Agricultural Commissioner under the California Department of Food & Agriculture
- 55 County Agricultural Commissioners (58 counties)
- Approximately 13,000 inspections statewide/year
- Issue restricted material permits (CEQA equivalency)

County Agricultural Commissioner System Continued

- Appointed by County Board of Supervisors (4 year terms)
- Director of DPR grants PUE Authority to CACs
- Licensed by California Department of Food and Agriculture to perform pesticide enforcement activities
- CACs Enforce
 - CA Food and Agricultural Code
 - CA Business and Professions Code
 - CA Code of Regulations

CAC Enforcement

- Notice of warning, violation notice, etc.
- Deny county registration
- Administrative Civil Penalties
 - Agricultural
 - Structural
 - Fine level up to \$5,000/Violation
- Referrals to DPR for state action or County District Attorney

Enforcement & CAC Joint *Pesticide Episode Investigations*



DPR Oversees County Enforcement

DPR oversees and coordinates CAC activities:

- Assist with PUE work plans
- Training / assistance on complaints, inspections and investigations
- Ensure **accurate** and **consistent** enforcement statewide
- Conduct pesticide program evaluations



Enforcement

Mitigation

Mitigation helps solve problems detected during inspections or investigations. Enforcement Branch coordinates with other DPR Branches.

Can include:

- Training / outreach to regulated community
- Best Management Practices
- Suggested Permit Conditions
- Regulations (revised or new)
- Suggested changes to labels (U.S. EPA)

Mitigation

Pyrethroid runoff

The issue:

Surface water contamination from non-ag pyrethroid applications



Mitigation solutions:

- Consult with CAC's and industry
- New regulations (non-ag applications made for hire)
- Develop online training tools



Pollinator Protection

- Federal Activities
 - President's Directive
 - Collect Incident Data
 - Product Label Changes
- State Activities
 - CA Regulations
 - Outreach/Training
 - Collect Incident Data



CaIPEATS -

California Pesticide Enforcement Activities Tracking System (2017)

Single statewide system for CACs and DPR to manage, track and report pesticide enforcement activities

- Initiated by CACASA and DPR
- Implementation in 2017

Replaces numerous systems and methods for tracking:

- Inspections
- Investigations
- Enforcement actions
- PRAMR (CAC report)



Questions about Enforcement or County Agricultural Commissioners?

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