

Section 6.3

Notice of Decision and Order Under FAC §12999.5

Subject

This is an example of the letter the county agricultural commissioner (CAC) sends to a Respondent when the CAC decides to “adopt” a Hearing Officer’s Proposed Decision under Food and Agricultural Code (FAC) section 12999.5.

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Notice of Decision and Order Under FAC §12999.5, Continued

Example letter

FILE NO. _____

TO: Respondent
Address

The attached Proposed Decision of the Hearing Officer is hereby adopted by the Commissioner as his/her decision in this matter. This decision shall become effective 30 days after the Respondent receives the decision, unless an appeal is timely filed with the Director of the California Department of Pesticide Regulation.

ORDER: You are hereby ordered to pay a fine of \$_____.

APPEAL RIGHTS: As provided in Food and Agricultural Code section 12999.5, this decision may be appealed by the Respondent within 30 days of the date of its receipt by mailing a written request to the Director of the California Department of Pesticide Regulation addressed to:

Department of Pesticide Regulation
Office of Legal Affairs
1001 I Street
P.O. Box 4015
Sacramento, CA 95812-4015

The appeal request must be signed by the Respondent or the Respondent's authorized agent, must state the grounds for the appeal (i.e., the reasons why the Commissioner's decision is in error), and must include a copy of the Commissioner's decision.

The Respondent must mail a copy of the appeal request to the Commissioner at the same time it is mailed to the California Department of Pesticide Regulation.

(name) DATE: _____
Agricultural Commissioner

Make Check Payable To: (name of county) - Agricultural Commissioner
