

Department of Pesticide Regulation
SUMMARY DESCRIPTIONS OF FUNCTIONS

Product Registration

A pesticide must be registered (licensed) with the State before it can be sold or used in California. Pesticide registration is the scientific, legal, and administrative evaluation process of a pesticide product before its registration. It includes screening, indexing and tracking registration submissions; some technical and scientific evaluation; processing, approving and filing labels; preparing public notices and corresponding with registrants; overseeing call-ins of data on environmental fate and acute and chronic toxicology, maintaining label files and the pesticide data library, and providing information on registered pesticides and label instructions to pesticide enforcement agencies and the public. Registration also includes special activities such as reviewing and issuing research authorizations and emergency exemptions from registration (Section 18s); reviewing and registering structural pest control devices; and consulting with the U.S. Environmental Protection Agency on federal registration issues.

Branches: Registration (lead), Enforcement, Worker Health and Safety, Human Health Assessment, Environmental Monitoring, and Pest Management and Licensing.

Risk Assessment

DPR takes a comprehensive approach to risk assessment and assesses potential dietary, workplace, residential, and ambient air exposures. Risk assessment includes (1) hazard identification, (2) dose-response assessment, (3) exposure assessment, and (4) preparation of a risk characterization document (RCD). Risk assessment also includes preparing documents and reports to DPR staff, registrants and the public about risk assessment; getting input on an RCD from stakeholders and responding to comments; conducting a peer review and completing documents for release to the public; reviewing and providing input on state, federal, and international guidelines on risk characterization; and collaborating with U.S. EPA and international regulatory agencies. Also included are activities regarding toxic air contaminants (TACs), including preparation of the report that evaluates pesticides as candidate TACs; coordinating with the Air Resources Board, Office of Environmental Health Hazard Assessment (OEHHA), and the Scientific Review Panel (SRP) on review and revision of documents developed for the SRP; preparation of environmental fate section for risk assessments; and prioritization of pesticides for risk assessment. Risk assessment also includes special toxicology review activities, such as reviewing emergency determinations of potential human impacts resulting from illegal residues of pesticides on agricultural commodities, and coordinating Proposition 65 activities with OEHHA.

Branches: Human Health Assessment (lead), Registration, Worker Health and Safety, and Environmental Monitoring.

Licensing and Certification

Licensing and certification is DPR's process of ensuring that people selling, possessing, storing, handling, applying, and recommending the use of pesticides are competent and knowledgeable in their safe use. DPR conducts exams; issues, amends and renews licenses for commercial pest control applicators, aerial applicators, pesticide dealers' designated agents, and pest control advisers; and certifies pesticide applicators that use or supervise the use of restricted pesticides

to ensure competency. Licensing also includes reviewing and accrediting continuing education courses licensees are required to take. Licensing and certification also licenses pest control businesses, maintenance gardener pest control businesses, pesticide brokers, and pest control dealers.

Branch: Pest Management and Licensing.

Permitting and Pesticide Use Reporting

In California, all agricultural pesticide use must be reported, including amounts applied and types of crops or places (for example, structures, roadsides) treated. Commercial applications--including structural fumigation, pest control, and turf applications--must also be reported. The main exceptions to full use reporting are home-and-garden applications, and most industrial and institutional uses. Pesticide users submit the records to their local County Agricultural Commissioner (CAC). To improve accuracy of the data, DPR contracts with the CACs for the electronic submittal of the data. The pesticide use reports are compiled, error-checked and analyzed by DPR, and made available on disk and online.

Besides federal law and pesticide label restrictions, California has extra controls on certain pesticides that could be especially hazardous to human health or the environment if they are used improperly. Use of these “restricted materials” requires a permit from County Agricultural Commissioners, who regulate pesticide use locally. DPR provides support to CACs on their administration of the Restricted Material Permit Program.

Branches: Pest Management and Licensing (lead), and Enforcement.

Monitoring/Surveillance

State law requires DPR to continuously evaluate pesticides after they are in use.

Monitoring/surveillance is an ongoing process to determine the fate of pesticides, protecting the public and the environment from pesticide contamination through analyzing hazards and developing pollution prevention strategies. Monitoring/ surveillance activities include monitoring of air quality, ground water, and surface water; investigation and evaluation of pesticide illnesses and incidents; and sampling and testing of fresh produce. Other activities include special monitoring, such as pest management and eradication projects; developing pesticide analytical methods; and sampling and analyzing environmental samples. Exposure monitoring includes conducting exposure and residue studies to collect data on potential exposure patterns and to assess regulatory requirements; evaluating data and preparing scientific reports; conducting peer reviews of exposure monitoring studies; providing input on exposure study designs requested under reevaluation, and reviewing exposure study protocols, exposure studies, and registration data. When already-registered products are proposed for formal reevaluation, activities include reviewing evidence that supports initiation of reevaluation.

Branches: Environmental Monitoring (lead), Worker Health and Safety, Registration, and Enforcement.

Mitigation of Human Health Risks

Mitigation of human health risks involves using scientific data to develop measures to reduce human exposure to pesticides that have unacceptable risks. These may include unacceptable exposures in air, the workplace, and in food and water. Activities include evaluating and recommending personal protective equipment, administrative, and engineering controls;

reviewing technical and scientific data to assess worker health impact of pesticide use; and preparing health and safety recommendations for incorporation into worker safety, enforcement and registration regulations. Mitigation measures may include developing proposed label changes; placing conditions on registration (for example, restricting use to situations where there are no exposure concerns); and regulations (rulemaking); and permit conditions. (Permit conditions are protective use practices a CAC may require before issuing a permit to use a restricted material.) For products under formal reevaluation, activities include the scientific determination and evaluation of the health risks of these registered products and identification of methods to reduce or eliminate these risks.

Branches: Worker Health and Safety (lead), Registration, Enforcement, and Environmental Monitoring.

Mitigation of Environmental Hazards

Mitigation of environmental hazards involves using scientific data to develop measures to protect the environment from the potentially adverse effects of pesticides. This includes developing mitigation strategies to protect air, ground water, surface water, endangered species, and desirable (non-target) plants. Mitigation measures may include proposed label changes; placing conditions on registration (for example, restricting use to situations where there are no environmental concerns); and regulations (rulemaking); and permit conditions (Permit conditions are protective use practices a CAC may require before issuing a permit to use a restricted material.) For products under formal reevaluation, activities include the scientific determination and evaluation of the environmental risks of these registered products and identification of methods to reduce or eliminate these risks.

Branches: Environmental Monitoring (lead), Pest Management and Licensing, Registration, and Enforcement.

Pest Management Programs

These programs assess the impacts and potential problems resulting from pesticide use, focusing on preventive solutions that incorporate integrated pest management (IPM), and includes:

- School IPM: Preventing children's exposure to pesticides by facilitating adoption of IPM in schools.
- Pest management grants: Awarding grants to industry groups and non-profit organizations that focus on finding alternatives to pesticides of regulatory concern in agriculture and in urban settings.
- Pest management activities: IPM Innovator awards (soliciting and evaluating nominations and conducting award events); conducting outreach workshops for professional organizations; and participating in scientific pest management activities with industry and other federal agencies. Activities include technical/scientific resource services such as evaluating pest management practices that prevent environmental and human health problems and working with industry to implement these practices.

Branches: Pest Management and Licensing.

Use Enforcement & Compliance

DPR's Enforcement Branch oversees compliance with pesticide use requirements and has overall responsibility for pesticide incident investigations. To assure compliance with laws designed to ensure the safe use of pesticides, enforcement of pesticide use in the field is largely

carried out in California's 58 counties by County Agricultural Commissioners (CACs) and their staffs. DPR headquarters personnel, as well as field staff in Anaheim, Fresno, and Sacramento, provide the CACs with training, coordination, and technical and legal support. Oversight includes developing statewide enforcement priorities and guidance; and evaluating CAC performance under annual workplans; researching and analyzing compliance trends; and advising CACs on DPR policies, procedures, and developing issues. Activities also include pesticide misuse investigations and issuing enforcement actions.

Branch, Other Units: Enforcement (lead), and Legal Office.

Product Compliance/Mill Assessment

The focus of the mill assessment and product compliance program is to ensure products are registered before sale and use, that they are labeled correctly, and that required fees have been paid. The mill assessment is a fee that California assesses on all pesticide sales, levied at the point of first sale into the state. Mill assessment revenues provide the largest source of funding for the state's pesticide regulatory program. To ensure that products in the channels of trade are in compliance with state pesticide laws and regulations, staff conduct inspections of products offered for sale, reviewing labels to ensure they are registered. DPR conducts audits of pesticide sellers to ensure they are paying sufficient assessments on their sales. Sellers in violation of product compliance and/or mill assessment requirements are subject to civil penalties, and activities include initiating enforcement actions. Other activities include overseeing disbursement of the required percentage of mill revenues to CACs, and evaluating trends in the value of the mill.

Branch, Other Units: Product Compliance (lead), and Legal Office.