Department of Pesticide Regulation

Brian R. Leahy
Director

Edmund G. Brown Jr.
Governor

April 1, 2015 ENF 15-04

TO: County Agricultural Commissioners

SUBJECT: NEW CAC ROUTING PROCEDURES AND FORM REVISIONS FOR ENFORCEMENT/COMPLIANCE ACTION SUMMARY FORM (DPR-ENF-046) AND NEW ENFORCEMENT/COMPLIANCE ACTION SUMMARY SUPPLEMENTAL FORM (DPR-ENF-047)

This letter is to inform you of a revised Enforcement/Compliance Action Summary (ECAS) form, new routing procedures, and a new ECAS Supplemental form for enforcement actions.

New CAC Routing Procedure for Submitting the ECAS

Effective July 1, 2015, the Department of Pesticide Regulation (DPR) requests that the CAC submit the ECAS form, and if applicable, the supplemental ECAS form electronically to the DPR Enforcement Data Unit <enfdataunit@cdpr.ca.gov> at two different times, as follows:

1. Submit the ECAS form and ECAS supplemental form (if applicable), when the enforcement action is **Opened**. That is, at the same time the Notice of Proposed Action (NOPA) is sent to the respondent. Please continue to submit all NOPAs as required by the California Code of Regulations (CCR) Title 3, section 6130 (e) to the Enforcement Branch Regional Office when they are submitted to the respondents and continue to follow the procedures of NOPA review as defined in ENF 13-11.

2. Submit the ECAS form and ECAS supplemental form (if applicable), when the enforcement action is **Closed**. That is, 40 days after the CAC mails the hearing decision to the respondent. This time period allows for any appeals to the Director or Disciplinary Review Committee. DPR will make corresponding changes in our database to the enforcement action closing date if the matter is accepted for appeal.

Effective July 1, 2015, please cease submitting the ECAS and ECAS supplemental forms with the Pesticide Regulatory Activities Monthly Report (PRAMR).

Revisions to ECAS Form

Effective January 2015, the following revisions were made to the ECAS form:

Form - Page 1:

1. "Date of Incident/Date of Action/Date Closed" was **changed to** "Incident Date/Action Date/Closed Date".

2. "Judicial Action" box **was revised.**
3. "Check Only One" and "Notice to Appear (Citation)" boxes **were removed.**
4. "Action Reference Section" **added** "DPR" to Inspection Form Serial #.
5. "License Code" **was changed to** "Lic./Cert. Code". "Either License or Certification Type" must be inserted in this box.
6. "Individual License Number" was **changed to** "License/Certificate Number". Either license or certification numbers are to be inserted in this box.
7. "Private Applicator Certificate Number" box **was removed**. This information is now captured under "Individual/Business Information – IND" box.
8. Comment on Category/Setting/Activity Section: **added** "Cont. Box".
9. On bottom of form **added** "Date Submitted".

Form Page 2

10. Under Activity, **removed** "No Activity Code".
11. **Removed** "Codes for Individual or Business".
12. Under Individual Codes, added "Not Required (NR), Uncertified (UNC) and Unlicensed (UNL)".
13. Under Business Codes **added** "Not Required (NR) and Unlicensed (UNL)".

Although the procedural changes regarding submission of the form(s) become effective July 1, 2015, you may begin using the revised DPR-ENF-046 and DPR-ENF-047 forms immediately. The forms are located at <http://www.cdpr.ca.gov/docs/enforce/prenffrm/prenfmnu.htm>. The revised instructions for the ECAS forms are enclosed.

New ECAS Supplemental Form

The new ECAS supplemental form will provide a way to capture additional information needed in Section B (Action Detail), Section D (Activity/Incident Information), and the Comment and Category/Setting/Activity section on the ECAS form.

DPR Enforcement Action Report to CACs

A quarterly report will be sent by DPR's Headquarters to each CAC, indicating enforcement actions received and entered into the DPR Enforcement and Compliance Action Tracking database (ENFACT). CACs are asked to review the report for any discrepancies (e.g., missing enforcement actions or duplicate case numbers) and submit corrections electronically to the DPR Enforcement Data Unit <enfdataunit@cdpr.ca.gov>.

If you have any questions, please contact your Enforcement Branch Liaison.

Sincerely,

Original Signature by:

George Farnsworth
Chief, Enforcement Branch
916-324-4100

Enclosures

cc: Mr. Joe Marade, DPR Agricultural Commissioner Liaison (w/Enclosures)
Enforcement Branch Liaisons (w/Enclosures)