

Rulemaking Proposal: Minimum Qualifications for New Agricultural Pest Control Adviser Applicants

Background The minimum qualifications (MQs) for first-time pest control adviser (PCA) license applicants have been a topic of discussion for the Agricultural Pest Control Advisory Committee (APCAC) since 1994. Due to the lack of clarity and specificity of the original MQ regulations, the Infrastructure Task Force of the Director's Pest Management Advisory Committee (PMAC) recommended changes to upgrade the MQs. PMAC proposed to increase the minimum educational requirements, and to further specify the core course requirements in the topic areas of Physical and Biological Sciences, Crop Health, Pest Management Systems and Methods, and Crop Production Systems. As a result, DPR revised the MQs based on PMAC's recommended changes and APCAC's concurrence. The regulation adopting these changes was amended in May 1999, but was not in effect until January 1, 2003. This allowed a three-year grace period for first-year students enrolled at a college or university to meet the course work for the new MQs when they graduated in 2003.

Problem After an extensive analysis of incoming PCA applications in 2003, DPR concluded that well over 50 percent of the new applicants had failed to meet the new MQs. The major area of deficiency was in the Pest Management Systems and Methods core area. In a separate evaluation conducted by APCAC, it was concluded that there were very few college courses offered in this area.

Solution In 2004, an APCAC subcommittee was established to determine if the courses offered at various California college and university campuses provided adequate opportunity for applicants to meet the revised MQs. After an exhaustive review, the subcommittee proposed broadening and restructuring the MQs to include senior projects, independent studies, thesis, seminars, and other educational avenues approved by the Director.

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What new changes are being proposed

As recommended and approved by APCAC, DPR proposes to amend Section 6550, Title 3, California Code of Regulations to provide more flexibility in the educational and work experience MQs, while still demanding a high level of skill and expertise of first-time PCA applicants. The proposed changes would:

- Change the course unit requirements in the core course areas of Crop Health, Pest Management Systems and Methods, and Production Systems
 - Broaden the types of course titles such as senior project, internship, independent study, dissertation, thesis, enterprise project, and work experience that would fulfill the MQs
 - Require a minimum 2.0 grade point average in the core courses
 - Allow work as an assistant to or work as a certified crop adviser to be counted as work experience.
 - Require the applicant to submit an *Agricultural Pest Control Adviser Minimum Qualifications for New License Applicants* form (PR-PML-085, Rev. 12/06) along with the *Agricultural Pest Control Adviser License Application* form (PR-PML-084, Rev. 09/04).
 - Require, if applicable, documentation for special studies and courses with the application for a new PCA license.
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Proposed regulatory text

DPR proposes to amend Section 6550, Title 3, California Code of Regulations. We have provided the proposed regulatory text as a separate handout for your information.

Anticipated notice date

DPR anticipates the *Notice of Proposed Regulatory Action* for this regulatory package to be published in the Office of Administrative Law's *California Regulatory Notice Register* on **February 3, 2007**.

Anticipated effective date

DPR anticipates this proposed regulatory action to be effective for all new PCA applicants in **October 2007**.

PRE-DECISIONAL DOCUMENT
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TITLE 3. CALIFORNIA CODE OF REGULATIONS
DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS
CHAPTER 3. PEST CONTROL OPERATIONS
SUBCHAPTER 1. LICENSING
ARTICLE 5. AGRICULTURAL PEST CONTROL ADVISER LICENSES

Amend section 6550 to read as follows:

6550. Minimum Qualifications.

(a) A person who has never held an agricultural pest control adviser license shall meet one of the following minimum qualifications:

(1) ~~Have either~~ Graduated from college with a bachelor's degree (~~B.A. or B.S.~~) in the agricultural sciences, biological sciences, or pest management which includes completing the curricula specified in (b); or

(2) ~~Have 45 semester units (67.5 quarter units) of college-level curricula in the physical and biological sciences, crop health, pest management systems and methods, and production systems topic areas plus~~ Completed the required curricula specified in (b) and 24 months of technical experience working: as follows.

- (A) ~~working~~ for a licensed agricultural pest control adviser;
- (B) ~~working~~ for a pest management specialist including, but not limited to, a farm adviser, certified commercial applicator, certified private applicator, or licensed pest control dealer;
- (C) as a field sweeper, field checker or scout;
- (D) as a participant in field or laboratory research activities relating to pest control;
- (E) as a participant in agricultural pest control/management activities for a federal, state, or county entity;
- (F) as a qualified applicator licensee pursuant to Division 6, Chapter 8, commencing with Food and Agricultural Code section 12201, ~~Food and Agricultural Code~~, employed by a licensed pest control business except that no more than 12 months experience solely in the categories specified in subsections 6530(b) and (k) shall be used;
- (G) ~~as an authorized licensee listed on a licensed structural pest control operator or field representative for a registered structural pest control operator license company~~ except that no more than 12 months experience ~~as a licensed structural pest control operator~~ shall be used; ~~or~~
- (H) as a farm operator involved in agricultural pest control/management activities; or
- (I) as an assistant to or work as a certified crop adviser.

(b) To satisfy the requirements of the college-level curricula specified in (a)(1) and (2), the college level curricula specified in (a) shall include 45 semester units (67.5 quarter units) in the following core course categories shall be completed with a 2.0 grade point average or better:

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| Area of Study | Semester Units | Quarter Units |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|---------------|
| Physical and biological sciences such as introduction to inorganic chemistry, organic chemistry, biochemistry, plant biology or botany, ecology, soils, irrigation, genetics, plant physiology, entomology, and zoology. | 15 | 22.5 |
| Crop health such as vegetative management or weeds, plant pathology, agricultural/economic entomology, plant nutrition or fertility, nematology, and vertebrate management. | 12 | 18 |
| Pest management systems and methods, with at least one course in pest management systems and one course in pest management methods. | 9 | 13.5 |
| Pest management methods topics such as agricultural chemical applications, properties of pesticides, mode of action of agricultural chemicals, toxicology, environmental impact of pesticides, and biological control. | | |
| Pest management systems topics such as integrated pest management, alternative cropping systems, and sustainable agricultural systems. | | |
| Production systems such as environmental horticulture, horticulture, ornamental horticulture, forestry, agronomy, crop science, vegetable crops, animal science, or other production systems. | 9 | 13.5 |
| Total Units Required | 45 | 67.5 |

(1) Physical and Biological Sciences - 15 semester or 22.5 quarter units in this category which includes such as introduction to inorganic chemistry, organic chemistry, biochemistry, plant biology or botany, general ecology, biology, genetics, plant physiology, and zoology.

(2) Crop Health - 9 semester units or 13.5 quarter units in this category which includes courses in soils and irrigation, as well as introductory courses in vegetative management or weed science; plant pathology; entomology; plant nutrition or fertility; nematology; and vertebrate management. Courses on alternative cropping systems, and sustainable or organic agricultural systems are acceptable.

(A) For course titles such as Senior Project, Internship, Independent Study, Dissertation, and Thesis only 3 semester or 4.5 quarter units will be allowed. The applicant shall include a course or project description, and a justification for the course category and principal area of study within the category to be accepted for credit.

(3) Pest Management Systems and Methods - 6 semester units or 9 quarter units in this category with at least one course emphasizing Integrated Pest Management principles. This category includes applied courses in entomology; plant pathology; vegetation management or weed science; and other pest management disciplines, in addition to biological control and courses related to pesticides, pest control equipment systems and the use of pesticides.

(A) One year of full-time related work experience listed in section 6550(a)(2)(A-I) may be used to fulfill part of this requirement provided the work experience is not counted towards the 24 months of technical experience specified in (a)(2) or towards credit for Production System work experience in subsection (b)(4)(A). If approved by the Director, 3 semester or 4.5 quarter

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units will be granted. Documentation of job duties, employment records, a statement from an employer, or other proof of technical experience shall be submitted to the Director.

(B) For course titles such as Senior Project, Internship, Independent Study, Dissertation, and Thesis only 3 semester or 4.5 quarter units will be allowed. The applicant shall include a course or project description, and a justification for the course category and principal area of study within the category to be accepted for credit.

(4) Production Systems - 6 semester units or 9 quarter units in this category which includes horticulture; viticulture; forestry; agronomy; and crop, vegetable, fruit or animal sciences; or other production systems.

(A) One year of full-time related work experience listed in section 6550(a)(2)(H) may be used to fulfill part of this requirement provided the work experience is not counted towards the 24 months of technical experience specified in (a)(2) or towards credit for Pest Management Systems and Methods work experience in subsection (b)(3)(A). If approved by the Director, 3 semester or 4.5 quarter units will be granted. Documentation of job duties, employment records, a statement from an employer, or other proof of technical experience shall be submitted to the Director.

(B) For course titles such Senior Project, Internship, Independent Study, Dissertation, Thesis, Work Experience and Enterprise Projects only 3 semester or 4.5 quarter units will be allowed. The applicant shall include a course or project description, and a justification for the course category and principal area of study within the category to be accepted for credit.

(5) Electives - An additional 9 semester or 13.5 quarter units in any of the categories in (b)(2-4) above.

(c) The applicant shall submit to the Director the completed Agricultural Pest Control Adviser Minimum Qualifications for New License Applicants form (PR-PML-085, Rev. 12/06), hereby incorporated by reference, an official transcript verifying the courses completed, and if applicable, documentation for special studies and courses required in subsections (b)(2)(A), (b)(3)(B), or (b)(4)(A), and the degrees granted to the applicant. In addition, an applicant qualifying pursuant to (a)(2) shall submit employment records, a statement from an employer, or other proof of technical experience to the Director.

NOTE: Authority cited: Sections 11456, 12005 and 12024, Food and Agricultural Code.
Reference: Section 12024, Food and Agricultural Code.