

Department of Pesticide Regulations  
Agricultural Pest Control Advisory Committee  
Meeting Minutes

Date: Wednesday, July 9, 2003  
Time: 9:30 a.m. – 1:30pm  
Location: Cal EPA Building  
1001 I Street  
Training Room, East and West  
Sacramento, CA 95812

Members Present: (8) Tim Butler – Registrants, Michael Costello-California State University System, Scott Hudson- County Agricultural Commissioner Association, George Kaiser – Maintenance Gardener Pest Control Business, Thomas LoCoco- Commercial Applicator Certificate Holders, Patrick O'Connor Marer- University of California, Richard Stoltz- Pest Control Aircraft Pilots, and Barbara Todd- Department of Food and Agriculture

Department Staff: David Duncan- Chair of Committee (ch), Adolfo Gallo, Nan Gorder, Tobi Jones, Belinda Messenger, Cynthia Ray, and Ada Scott

Guests: Kim Crum- CAPCA, Dr. Mary Louise Flint- University of California, Terry Gage- California Ag Aircraft Association and Judy Letterman- PAPA,

Members Absent: (7) Ronald Cisney –Agricultural Pest Control Businesses, David DeSilva – Board of Governors of the Community Colleges, Jack Kerns- Pest Control Maintenance Gardeners, Mike Kennedy- Pesticide Dealers, Jean La Duc- General Public, Linda LaVanne- Agricultural Pest Control Advisers, and Rayne Thompson- Producers

## AGENDA

### INTRODUCTION OF MEMBERS AND OTHERS IN ATTENDANCE:

David Duncan (ch) opened the meeting by welcoming everyone and asked attendees to introduce themselves.

### REVIEW AND APPROVAL OF DECEMBER 3, 2002 MINUTES

The minutes were approved as written.

David asked that each person review the committee membership list and update through Cindy Ray. Some committee representatives' terms are expiring on Dec 31, 2003. He encouraged all members to continue and reminded the committee that the term is for three (3) years.

### LICENSING AND RENEWAL UPDATE

David stated that during the 2002 renewal period few complaints were received. David provided the group with an updated renewal statistics handout.

- Renewals were sent out the end of August allowing more response time
- CAPCA and PAPA published articles that included the renewal process time lines.
- Troubleshooter position allowed staff to process complete applications more efficiently.

- Students were hired to assist staff.
- Last year's renewal rate was about 85%, or attrition amounted to about 15% - this is roughly the same each year.
- The cost of printing, processing and mailing renewal notices is approximately \$10,000. Businesses do not typically reply as promptly in the renewal process as do individuals.
- The same process will be used for the 2004 renewal season. Although the Licensing and Certification Program lost three positions as a result of personnel reduction activities.

## LICENSING AND CERTIFICATION FEES

A draft fact sheet with proposed fee increases was discussed. The current licensing fees were established during the mid 1980's and were never adjusted. The fact sheet included a brief explanation of why the fees need to be increased and that they were being brought in line with inflation figures to cover all costs to run the licensing and certification program. The overall increase is about a 50% but some of the earliest fees established increased more due to inflation projected over a greater number of years. The fees will be implemented by emergency regulation and will be effective for renewal of licenses that expire December 31, 2003. A workload analysis conducted by MGT of America determined that the program cost was 1.7 million dollars. Current fees now only makes up half of the 1.7 million.

The committee indicated that a fee for address changes may discourage a response and recommended against the \$20 fee. Through discussion with the committee it was agreed to charge the fee if license or certificate changes resulted in the need to issue a new license.

Mary Louise asked that the increased fees pay for University projects such as pest control study materials and examination development and revisions. She also said that the University will have a hard time keeping exams and study material up to date if no funding is provided by DPR.

Mary Louise asked also about the cost to upgrade study materials and examinations. David answered that Federal funding received in the past three years was around \$50,000 to \$75,000 per year to upgrade study material and exams. Pat indicated the funding does not pay for his time, only for a technical writer. Mary Louise stated that they still need this funding and that the fee increases should provide support for upgrading of the exam and study materials. Pat also commented that USEPA sends pass through funds of \$1.8 million to share with all states to fund applicator training and this funding may be discontinued. Comments from states explaining the need for the funding have been sent to USEPA and a work group including California will provide recommendations for future funding.

Comments were expressed that the Committee should have been given the draft fee proposal earlier for comment and review. It was also indicated that increasing fees during a recessionary period made it difficult on the certificate and license holders. David indicated that DPR used the Budget Change Proposal process to propose the fee adjustments and that the process is by nature confidential. David agreed that the Committee should have been involved earlier and that the March, 2003 Committee meeting was canceled due to planned attendance by only 3 members.

A recommendation was made to revise the heading, "Per Examination" to read "Each Exam" on the draft fact sheet. It was also suggested to explain that no General Funds will be used to support the program.

County Agricultural Commissioners along with the Farm Advisor are concerned about the continued education fees as most do not charge for courses or presentations that they provide. The continuing education accreditation process was estimated by MGT to cost the licensing and certification program around \$79,000 to \$80,000 a year.

Committee members and guests attending the meeting, felt that if a course or presentation was free, DPR should not charge to evaluate and award credit. It was pointed out that a service was still being provided by DPR. The committee recommendation was to create a simpler fee structure and roll all proposed fees related to continued education into one fee. A quick estimate was offered by staff of about \$35.00 per course (later staff consulted the MGT analysis and determined the actual amount to be \$45). Kim Crum

indicated she would discuss with the CAPCA president a possibility that each county CAPCA chapter could work with the Farm Advisors and pay the provider's fee.

#### REGULATION UPDATE

David introduced Tobi Jones, the Assistant Director for Division of Registration and Health Evaluation. She spoke about Clopyralid and the letter sent to Pest Control Dealers. Letter was sent out to Dealers in November 2002 explaining their responsibilities when they sell Clopyralid. Clopyralid Letters were also sent to County Agricultural Commissioners.

Tobi stated that Clopyralid, has been a concern with DPR for about a year and half because of its residue problem. Clopyralid used on lawn and turf can remain as a residue on the grass clippings and may be toxic to plants mulched with the clippings and usually residential yard waste pick up is co-mingled and used for compost. AB2356 requires products containing clopyralid to be sold only by a licensed Pest Control Dealer and only to qualified applicator license and certificate holders with the proper category. This mandate became effective January 1, 2003. Golf Courses may use products with clopyralid because they compost on site and clippings do not leave the property. In parks and for turf uses, the department was not able to make the determination.

DPR's Clopyralid letter provided the regulation concept but not the regulatory language. In March 2003 we started the cancellation of clopyralid, uses on residential lawns. Dow Agri Sciences worked with USEPA and initiated the voluntary process of removing label language for the use of clopyralid on residential lawns. Dow also sent letters to dealers and certificate holders.

#### UNIVERSITY/COLLEGE PCA CORE COURSE EVALUATION

Michael Costello and Mary Louise Flint evaluated the courses that colleges and universities submitted to DPR. They sorted the courses into the respected core course areas. This process was very time consuming and they found that there were very few courses in the area of Pest Management Method and System.

Cynthia provided a hand out to the committee members that summarized PCA applicant core course deficiencies, which were mainly in the Pest Management core course requirement area. Also, Cynthia stated that the colleges providing core courses to meet the adviser educational requirement would be put on the department's web site as soon as the courses are evaluated and approved. This site will help the student determine which classes qualify and to prepare students who wish to become licensed advisers.

#### KNOWLEDGE EXPECTATIONS FOR QC AND QL/ UPDATE ON DEMONSTRATION AND RESEARCH, AND LANDSCAPE MAINTENANCE STUDY GUIDES AND EXAMS.

Adolfo spoke on the PCA examination process and the department's goal to update the examinations. To date the Educational requirements, knowledge and expectation, and the PCA Laws and Regulation Examination have been developed or revised with the help of UC IPM, and DPR. The next step is to develop and complete the PCA pest control categories examinations.

DPR eliminated 40 questions dealing with laws and regulations and added 100 IPM questions therefore the exam is now a 200-question exam. The new exam was implemented in June 2003. By fall 2003 a few more categories will be implemented and the rest by spring 2004.

DPR currently use a software program that incorporates old questions with new. The examination items that we got from UC are already downloaded into the database. The software allows different exams to be created based on the same pool of questions and the order of exam questions and answers may be arranged differently for any given exam. The department is exploring on line testing but it has been put on the back burner at this time.

## PEST MANAGEMENT LETTERS ON LICENSING AND CERTIFICATION

Judy asked the committee to discuss her issues about the internet CE courses which were approved by DPR. She feels on line courses being approved for 20 hours of credit or more is inappropriate. PAPA has heard that stand-ins have taken courses. Photo ID is not required at the seminars but PAPA is able to determine if those who attend are registered. David asked if they are recommending that fewer hours be granted for internet CE courses? They would like this to be on the next agenda and have Belinda present.

Mary Louise also wanted to know how DPR evaluates the CE courses?

David said DPR audits a small percentage of the courses and presentations and for on line course, DPR receives a copy of the actual course.

The committee members felt the 40 hours being granted as CE was a lot of hours for an on-line course. David suggested that the committee members go to their stakeholders and ask them about on line CE and their opinion. It was asked who is offering on line courses? Dr Kaae with Cal Poly, SLO, , Research Guy, Texas, Ohio, and several other organizations.

## AGENDA ITEMS FOR NEXT MEETING

1. Hearings plans for the future
2. On Line CE Courses

October will be the next scheduled meeting. Dates to look into: 8, 9 and 15th

Meeting Adjourned at 1:00pm