



Department of Pesticide Regulation's

AGRICULTURAL PEST CONTROL ADVISORY COMMITTEE

Date: Tuesday, April 12, 2005 Time: 9:30 a.m. – 12:00pm
Location: Cal EPA Building, 1001 I Street Training Room East/West, Sacramento, CA 95812

Members Present: (8) David De Silva – Board of Governors of the Community Colleges, Michael Costello-California State University System, Scott Hudson- County Agricultural Commissioner Association, Linda LaVanne- Agricultural Pest Control Advisers, Jeff Phillips- Commercial Applicator Certificate Holders, Barbara Todd- Department of Food and Agriculture (Ex-Officio), Ronald Berg- Pest Control Dealers, Mary Louise Flint-UCIPM

Department Staff: (5) David Duncan- Chair of Committee (Ch), Mac Takeda, Polo Moreno, Cynthia Ray, Rayven Jenkins

Guests: (5) Terry Stark- CAPCA, Terry Gage- California Ag Aircraft Association, Renee Pinel- Western Plant Health Association, Todd Mooris – LESCO, Gary Platek – LESCO.

Members Absent: (7)– Jean La Duc- General Public, George Kaiser – Maintenance Gardener Pest Control Business, Tim Butler – Registrants, Ronald Cisney- Agricultural Pest Control Businesses, Richard Stoltz- Pest Control Aircraft Pilots

Member Vacancies: (2)- Vacant – Pest Control Businesses, Vacant – Producers

AGENDA

9:30-9:35 Introduction of members and others in attendance and review of agenda

David Duncan, Department of Pesticide Regulation (DPR)

9:35-9:40 Review and approval of January 19, 2005 Minutes

Committee approved the minutes without comments or corrections.

9:40-10:35 Pest Control Dealers in Mobile Units, a Regulation Concept

Gary Platek and Todd Morris of Lesco

Gary Platek and Todd Morris of Lesco, an Ohio based company which manufactures, distributes, and sells turf care equipment and chemicals primarily to Golf courses, presented a PowerPoint slide presentation proposing that California regulations be changed to allow pesticide dealerships to have mobile unit branches, as opposed to fixed business addresses, and that these stores on wheels (SOWS) be allowed to be manned only by Designated Agents as opposed to PCA's. A person who solicits pesticide sales away from a fixed place of business must be licensed as a PCA (Food and Agricultural, section 11410 and California Code of Regulations, section 6000 Definitions).

A lively discussion followed with questions regarding legal recourse for violations, the necessity for review of city and county ordinances relative to business operations as well as state hazmat regulations, regulation intent and necessity, sales tax, mill assessment, pesticide sales records, a fixed place of address, and safety concerns.

It was agreed upon at this time that:

- DPR is not equipped to regulate mobile units
- Providing SOWS would have no positive bearing on human health and the environment.
- Necessity for the regulation change cannot be shown, which would be required by the Office of Administrative Law.
- Any change would likely involve the need for statute change, agreements among state and local officials CAC's and much of the agricultural industry, CAPCA, PAPA, CAAA, , and the legislature.

- This is a solicitation issue which requires sales people to be licensed as PCA's.

10:35-10:55 Report on Licensing renewal, website changes, PCA minimum qualifications and PCA course list (post-secondary)
Committee, Mac Takeda, DPR

Renewal: Currently 79.6 % of the business licenses and 84.6 % of the individual licenses and certificates have been renewed. In comparison, on March 19, 2003 of the same renewal group, we had 78.3% of the business licenses and 83.7 % of the individual licenses and certificates renewed.

Website Changes: The DPR website has been reformatted with the addition, under license types, of the annual County registration requirements. It was suggested that since the website is now so much more user friendly, the Private Applicator Certificate information should be added also.

PCA minimum qualifications:

- There was a short discussion regarding the minimum qualifications (MQ) for the PCA. It is presumed that the MQ will be approved, and will be used as a guide for Cynthia when replying to colleges.
- Michael Costello asked if Independent Studies/Special Projects would apply to the minimum qualifications (MQ) for the PCA. He suggested that a group should at least get together to define courses and determine if the courses fit the PCA requirements. Michael also volunteered to draw up a series of senior projects as a guideline, complete with guidewords. David Duncan questioned if Independent Studies/Special Projects practices should be policy or in the regulations. Most agreed that Independent Studies/Special Projects should be policy, with the caveat that any Independent Studies/Special Projects include documentation. David De Silva offered to give Cynthia Ray a two-page document listing the objectives of a special project as it relates to work experience. Cynthia suggested that David De Silva work with Michael Costello. The question was raised if there would be a cap on the units from Independent Studies/Special Projects. David Duncan asked the MQ subcommittee to communicate through email to discuss caps on units and to discuss the language for any recommended cap on independent study/special projects units.
- Mary Louise Flint stated that the system that Mark Bender presented at the last APCAC meeting only evaluated the lower division classes. She also said that the updated UC classes list that she submitted to DPR hasn't been put into the system yet. Mary Louise feels that the system is good, but it is flawed, has some technical problems, and that it will take a huge amount of work to keep it up to date. David Duncan asked Mary Louise if she were willing to give this feedback to Mark Bender regarding the technical issues.

10:55-11:00 DPR and Pest Management for the 21st Century
David Duncan

At the February 23 Pest Management Advisory Committee (PMAC) meeting, the full committee, acting on a recommendation from Director Mary-Ann Warmerdam, established a "Pest Management in the 21st Century" working group. Director Warmerdam has asked the newly established working group to develop a strategic plan to assist DPR identify how to best utilize its resources and talents over the next 10 years. The plan will also aid DPR to proactively identify priority issues and possible courses of action to address those issues. The working group will present a report to the full PMAC for its review, modification and adoption later in 2005. Director Warmerdam is interested in establishing performance based results, and wants the subcommittee to "take the blinders off" and be creative. Issues covered will include:

- ✓ Agricultural pesticide issues
- ✓ Urban pesticide issues
- ✓ New approaches to address pest management

11:00-11:15 (BREAK)

11:15-11:35 PRESCRIBE, a web-based application tool produced by DPR's Endangered Species Program
Polo Moreno, DPR

Polo Moreno presented an exciting, informative walk through of PRESCRIBE, a web-based application tool produced by DPR's Endangered Species Program. The application is an electronic equivalent to an Endangered Species Bulletin and will replace the need for 44-page hard copy bulletins currently distributed by DPR to California Counties

With the PRESCRIBE program, the PCA, pest control dealer, county staff person or anyone, may go online for a comprehensive listing which includes all groups of pesticides and pesticide use limitations for endangered species. The program provides a one or two-page printout for the user. The USEPA is very excited about this program. Questions raised included:

- What is the future for this program?
- Could it be used in urban settings in the future?
- Is there a chance of habitat damage when using pesticides?

11:35-11:50 Study guides update
Mary Louise Flint, UC Davis IPM and Mac Takeda, DPR

Qualified Applicator License and Qualified Applicator Certificate study guides

- ❖ The revised study guide for the Residential, Industrial and Institutional – Category A exam for QAL and QAC should be printed by the fall of 2005.
- ❖ The new study guide for the Landscape Maintenance - Category B exam for QAL and QAC has been edited and should be printed by January 2006.

Qualified Applicator License and Qualified Applicator Certificate Exam booklets

The QAL and QAC revised Demonstration and Research exam-category J booklets have been completed.

Pest Control Adviser Exams booklets

The majority of the PCA exam booklets have been revised with the exception of Plant Growth Regulators.

Maintenance Gardener Pest Control Applicator study guide and examination Meeting: Mac Takeda and Adolfo Gallo met on February 25 at UCIPM, in Davis with the other Expert Panel members and UC IPM group to discuss the project and knowledge expectations for the maintenance gardener pest control applicator (Q) study guide and exam. The knowledge expectation drafted by the UCIPM group was discussed and revised. The Q exam will be inclusive, combining Laws/Regulations and the Landscape Maintenance and competency into one exam.

Aerial Applicator Study Guide and Examination Contract:

The study guide is expected to be available by 2006. CAAA is very happy with the outline and the material. Apparently the USEPA is very interested in the process and would like to create a national level study guide for aerial applicators. Dr. Patrick O'Conner-Marer is the contractor for this project.

11:50-11:55 DPR Rulemaking Calendar
David Duncan, Mac Takeda and Committee

- PCA Licensing for Public Agencies: Regarding regulations specific for those working for public agencies has a projected notice date of May 2005.

- Pest Control Adviser Minimum Qualifications has a projected notice date of June 2005.

11:50-12:00 **Next agenda and meeting date**
Committee

Next agenda:

- Trappers license withdrawn
- Licensing updates

Meeting Date: July 19, 2005 (Tuesday)

Time: 9:30 am - 12:30pm

Place: 1001 I street

Training room 1 East and West (First Floor)

Sacramento

Questions about these notes should be directed to David Duncan at (916) 445-3870 or dduncan@cdpr.ca.gov