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Compliance Assessment Trends and Analysis Pilot Project

Date October 1, 2001

Enforcement Letter ENF 01-44

Distribution County agricultural commissioners

Referral If you have any questions, please contact your Senior Pesticide Use Specialist or Mr. Roy Rutz, Agricultural Program Supervisor III, at (916) 445-4279.

Approval *Original signed by . . .*

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Introduction The Department of Pesticide Regulation’s (DPR’s) strategic plan aims to reduce human and environmental health risks by maximizing compliance by identifying and addressing problems. Specifically, the plan indicates that DPR will compile and analyze compliance information annually.

DPR has conducted compliance assessment activities for over four years and has just released its “Compliance Assessment Report, Pesticide Handler and Field Worker Safety Survey, June 1997 – March 2001”. County agricultural commissioners (CACs) conduct inspection activities that are broader in scope and number relative to the compliance assessment surveys conducted by DPR. These inspection activities, coupled with focused compliance assessments and statewide surveys, may provide a more accurate and representative picture of the agricultural industry’s compliance with federal, state and local pesticide regulatory requirements.

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Compliance Assessment Trends and Analysis Pilot Project, Continued

Project Scope DPR will undertake a one-year pilot project to assess the costs, benefits, and issues associated with the collection and analysis of CAC generated compliance information.

DPR is requesting that CACs submit copies of all completed “Pesticide Use Monitoring Inspections” (PR-ENF-021) and “Field Worker Safety Inspections” (PR-ENF-044) forms with their “Monthly Pesticide Regulatory Activities Report” (PR-ENF-099).

DPR will use information generated from this pilot project to identify compliance trends from pesticide handler and field worker inspections conducted by CACs. DPR will use this information to target its compliance assessment activities.

Background DPR recently completed a three-year survey of agricultural workers in which staff evaluated about 560 agricultural pesticide-handling operations and 240 field worker crews in 21 counties. During this same period, CACs conducted 39,000 pesticide use monitoring inspections and 6,000 field worker safety inspections. DPR does not have adequate resources to conduct initial and follow-up assessments over a broad range of industry sectors. CAC inspections represent an untapped source of statewide compliance information on a greater range of industry sectors and pesticide-related activities.

The application, mix/load, and field worker safety inspections account for about one-third (approximately 15,000) of the total number of inspections conducted by the CACs annually. These inspections cover all agricultural (FWS) activities, except fumigations, and a wide variety of urban (non-structural) activities.

Under the pilot project, DPR will use information generated from the county inspections to identify compliance trends and issues, and thereby more efficiently utilize its resources in conducting compliance assessment surveys. These follow-up assessments will allow DPR to focus on the causes of and solutions to identified trends/issues. The information may be used in the development of DPR’s statewide prioritization plan and county negotiated work plans.

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Compliance Assessment Trends and Analysis Pilot Project, Continued

Implementation Date CACs should submit **all** “Pesticide Use Monitoring Inspections” and “Field Worker Safety Inspections” forms beginning with their October 2001 Monthly Pesticide Regulatory Activities Report.

Submittal of Non-Compliances – All Other Inspections This pilot project replaces DPR’s original request to submit inspection forms with non-compliance actions as stated in ENF 2001-007.

Effective immediately, **do not submit** the following forms with your “Monthly Pesticide Regulatory Activities Report” **unless** they serve as an official violation notice or letter of warning:

- Structural Pest Control Inspections, PR-ENF-011
 - Pest Control Records Inspections, PR-ENF-022
 - Fumigation Use Monitoring Inspections, PR-ENF-144
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cc: Mr. Daniel J. Merkley, Agricultural Commissioner Liaison
Mr. Roy Rutz, Agricultural Program Supervisor III