

## **Appendix H**

### **Faulty Recommendations Followed by Applicators**

**Interprets FAC sections 12971 and 12973, 3 CCR section 6000**

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**Crop  
identification**

The property operator, Pest Control Adviser (PCA), and applicator (including Pest Control Businesses) share responsibility for ensuring the crop, commodity, or site are properly identified.

- The property operator (e.g., the grower) is responsible for arranging for the application and making necessary preparations for the application (see definition of “Use” in 3CCR section 6000).
  - The PCA is responsible for correctly identifying the crop to be treated when writing their recommendation.
  - The applicator (grower or pest control business) is responsible for reviewing the label and ensuring the application can be legally done on the crop to be treated.
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**Guidance**

When a pesticide is used in accordance with a recommendation that is in conflict with registered labeling, both the PCA making the recommendation and the person making the pesticide application are in violation of the law. Action should be taken against both the PCA for the recommendation and the applicator for use in conflict with registered pesticide labeling. The enforcement response can be customized to reflect relative responsibility in the specific situation. The PCA is responsible for certain judgment factors in a recommendation just as the applicator is responsible for the condition of equipment and monitoring weather conditions during the application. Each is responsible for complying with the registered labeling.

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