Chapter 1
About the Pesticide Use Enforcement Program Standards Compendium

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Section 1.1
About DPR

Mission and role

Mission
The mission of the Department of Pesticide Regulation (DPR) is to protect human health and the environment by fostering sustainable pest management and regulating pesticides.

Role
The role of regulating pesticides in California is a joint responsibility of the Director of DPR and county agricultural commissioners (CACs). Food and Agricultural Code (FAC) section 2281 provides that DPR is responsible for overall statewide enforcement and for issuing instructions and making recommendations to the CACs.

The CACs are responsible for local administration of the pesticide use enforcement program. Several other FAC sections (11501.5, 12977, 12982, 14004.5, and 15201) state that CACs conduct pesticide work under the direction and supervision of the Director.

Section 1.2
Background on the Compendium

Introduction

The Department of Pesticide Regulation (DPR) continuously evaluates how it distributes information to the County Agricultural Commissioners (CAC). In 2005, DPR determined that using previously distributed CAC Letters, which extend back to the early 1970s, as current references were cumbersome and inefficient.

To that end, DPR compiled and updated relevant pesticide use enforcement directives, interpretations, recommendations, and expectations into a set of subject matter volumes called the Pesticide Use Enforcement Program Standards Compendium.

DPR developed the Compendium to fulfill, in part, its statutory responsibility to assist in planning and developing county programs in areas including uniformity, training, coordination, and to provide the standard operating procedures for effective implementation of the joint State/county Pesticide Use Enforcement Program.

Section 1.3
About the Compendium

About the Pesticide Use Enforcement Program Standards Compendium

The *Pesticide Use Enforcement Program Standards Compendium* is a series of seven volumes that contain pesticide use enforcement directives, interpretations, recommendations, and expectations. The Compendium represents the Pesticide Use Enforcement Program's "standard operating procedures."

Contents of the Compendium supersede any position or direction on these subjects contained in previous letters to CACs or earlier manuals. Omitted items not in conflict with directions or positions contained in the Compendium may continue to be used for interim guidance. DPR reserves the right to re-examine omitted topics and may readopt them or develop a new position or direction when necessary.

New and updated procedures, policies, and interpretations will be issued in the form of updates to the Compendium. Suggestions for changes, additions, or deletions to the Compendium should be made to DPR.

Please note that the procedures described in the Compendium are intended solely for the guidance of employees of DPR and CACs. While the Compendium is a reference county programs are evaluated against, they do not constitute rulemaking by DPR. DPR and CACs may deviate from these procedures, provided the deviation does not adversely impact the effectiveness of the county pesticide enforcement program or hinder effectiveness of DPR to fulfill its responsibilities for the overall statewide enforcement program oversight.

Disclaimers

DPR's Program Standards Compendium does not establish any enforceable policy or procedure, does not replace or supersede any statutes or regulations, and is subject to change. The Compendium is intended solely for the guidance of employees of DPR and CACs and does not constitute specific legal advice.

The mention of commercial products, their source, or their use in connection with material reported here is not to be construed as either actual or implied endorsement of such product.

Section 1.4
Description of the Seven Compendium Volumes

Volume 1 – **General Administration of the Pesticide Use Enforcement Program**

General authority; pesticide use reporting; memorandum of understanding information; county pest control registration; local administration of the Licensing Program with interpretations of law or regulation sections relating primarily to the need for one of the various pest control licenses; and general procedures and expectations not specifically covered in other Volumes.

Volume 2 – **Laws and Regulations**

Current text of pesticide-related laws and regulations, including excerpts from Food and Agricultural Code (FAC) laws and Title 3, California Code of Regulations (3 CCR); Business and Professions Code (B&PC) provisions and Title 16 (16 CCR) regulations covering the practice of structural pest control; as well as relevant sections of the Health and Safety Code (illness reporting, vector control, etc.) and Labor Code (farm labor contractors).

Volume 3 – **Restricted Materials and Permitting**

Guidance on the California Environmental Quality Act (CEQA) and the permit program's Environmental Impact Report (EIR) functional equivalency; private applicator certification; agricultural and non-agricultural permit requirements; permit evaluation procedures; due process related to permits; and DPR "recommended" permit conditions.

Volume 4 – **Inspection Procedures**

Field procedures for pesticide use enforcement inspections and designing a neutral scheme inspection program.

Volume 5 – **Investigation Procedures**

Guidance on planning and conducting pesticide investigations and reporting the findings; preserving evidence; chain of custody; and report writing.

Volume 6 – **Enforcement Response to Pesticide use Violations**

Interpretations of law and regulation provisions relating to enforcement response, including guidance on elements of the violation, statute of limitations, compliance actions, decision reports, drafting the Notice of Proposed Action (NOPA), due process, conducting administrative civil penalty hearings, crafting decisions, and appeals to the Director.

Volume 7 – **Interpreting Pesticide Labeling, Laws, and Regulations**

DPR interpretations of various sections of law and regulations; guidance on interpreting pesticide labeling, including interpretations of some general and specific labeling statements.

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