

California Pesticide Use Enforcement Statistical Profile

Date October 2013

Introduction The Department of Pesticide Regulation (DPR) developed a summary of annual statewide county agricultural commissioner (CAC) pesticide enforcement program statistics. This annual California Pesticide Use Enforcement Statistical Profile consolidates CAC data from several DPR database sources. DPR also produced and distributed County Pesticide Use Enforcement Statistical Profiles with data from each individual county.

Source of the data The data sources used in the report include the Pesticide Regulatory Activities Monthly Report (PRAMR), pesticide use report, and inspection tracking databases. Also included is CAC funding information from DPR and the California Department of Food and Agriculture (CDFA).

Pages of the profile This statistical profile consists of:

- Annual statewide pesticide enforcement program statistics: General statistics about the CAC program drawn from the PRAMR and pesticide use report databases, and funding disbursed by CDFa via the unclaimed gas tax distribution and by DPR via the mill assessment;
- Statewide workload distribution by percent time: Charts showing workload distribution by licensed work hours and percentages of time dedicated to various categories of the CAC pesticide enforcement program (PRAMR);
- Statewide inspection compliance: Compliance information from the various types of inspections conducted by the CACs (inspection tracking) and a summary of the number of compliance and enforcement actions taken (PRAMR); and
- Most common violations-statewide: A listing of the code section violations that are most frequently cited on CAC inspections (inspection tracking).

Purpose of the profiles The profiles were developed to look at available data in a more comprehensive format. The CACs and DPR may use this information to:

- Develop county enforcement work plans;
- Conduct effectiveness evaluations;
- Identify trends and program changes;
- Identify CAC staff training needs;
- Identify industry outreach needs;
- Improve inspection compliance;
- Develop inspection target programs; and
- Compare county data to statewide, regional and/or other counties with similar characteristics.

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California Pesticide Use Enforcement Statistical Profile, Continued

Annual pesticide enforcement program statistics

This is a three-year comparison of several statistics regarding restricted materials permits (such as number of: permits issued, permits denied, multi-year permits, sites, and notices of intent reviewed, assessed and denied); pounds of pesticides used; number of applications; number of inspections; and CDFA and DPR funding. This information can be used to identify significant year-to-year reductions or increases that may impact the county's overall pesticide enforcement program.

Workload hours and distribution by percent time

The line chart shows a three-year comparison of CAC time spent (Licensed Work Hours) in seven categories of pesticide use enforcement. The pie chart presents the percentage of time dedicated to those activities over the three-year period. These charts identify areas where excessive or minimal time is dedicated to specific work categories that may not be appropriate for an individual program. It can also be used to identify significant year-to-year reductions or increases that may impact the overall pesticide enforcement program.

Inspection compliance

These tables list by agricultural and structural settings the numbers of inspections and compliance rates for each inspection type the CACs conduct. It also shows the number of "No's" per inspection, the percentage of inspections with 100 percent compliance and the number of inspections where one or more violations were found. The last number on the table can be compared with the number of compliance and enforcement actions taken during the same period; however, the numbers do not correlate directly. Not all compliance and enforcement actions are taken during the fiscal year in which it is reported. Additionally, some actions may result from the discovery of violations by means other than inspections, such as investigations.

This information can be used to identify areas of particularly low compliance where industry outreach or changes in targeting strategies may be used to improve compliance. Areas of particularly high compliance where DPR's field experience indicates that the compliance rate is not as high may identify a need to review the CAC's inspections to determine if additional training is appropriate for CAC staff.

Most common violations

This table lists the most frequently found violations by agricultural and structural settings during CAC inspections. They can be used to indicate areas where industry outreach and training are most needed.

Note: Values for some criteria can not be compared year to year due to additions and changes to law and regulations and the resultant changes to a new inspection program in 2010.

Annual Statewide Pesticide Enforcement Program Statistics

	2010	2011	2012
Operator identification numbers issued/ Amended ¹	14,172	14,170	15,029
Restricted material permits issued/ Amended ¹	31,021	31,130	30,405
Permits denied ¹	334	180	134
Multi-year permits ¹	8,233	13,256	10,027
Total permitted sites ^{1, 2}	277,728	268,396	249,538
Notices of intent (NOIs) reviewed ¹	142,071	133,487	124,036
NOIs assessed (Pre-application site inspections) ¹	7,997	8,024	7,628
NOIs denied ¹	1,228	1,254	822
Pounds of pesticide applied (active ingredient) ³	175,446,739	191,731,118	186,175,683
Number of agricultural applications ³	3,398,903	3,648,538	3,833,748
Number of non-agricultural applications ^{3,4}	21,313,291	24,547,451	29,238,780
Number of all inspections ¹	26,336	27,941	26,087
Unclaimed Gas Tax Distribution ^{5,6}	\$9,000,000	\$9,000,000	\$9,000,000
Pesticide Mill Assessment ⁵	\$19,835,253	\$20,786,637	\$21,680,671

Footnotes

¹ Source: Pesticide Regulatory Activities Monthly Report (PRAMR)

² Some counties did not report any permitted sites.

³ Source: Department of Pesticide Regulation Pesticide Use Report Database

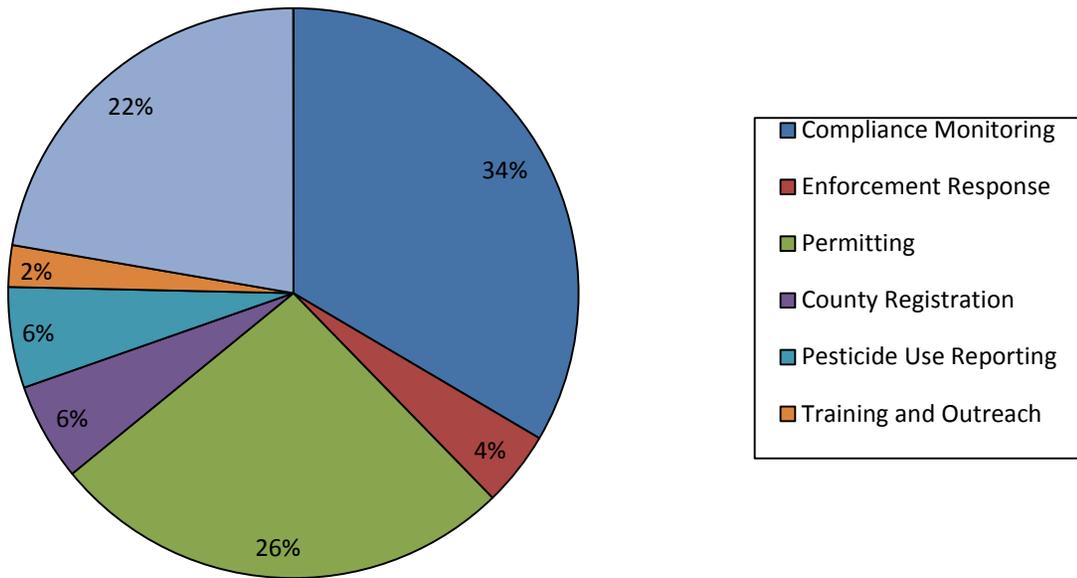
⁴ Analysis of data indicates some problems with reporting and accurately recording these figures.

⁵ Funding is on a fiscal year basis and is based on the prior year's workload.

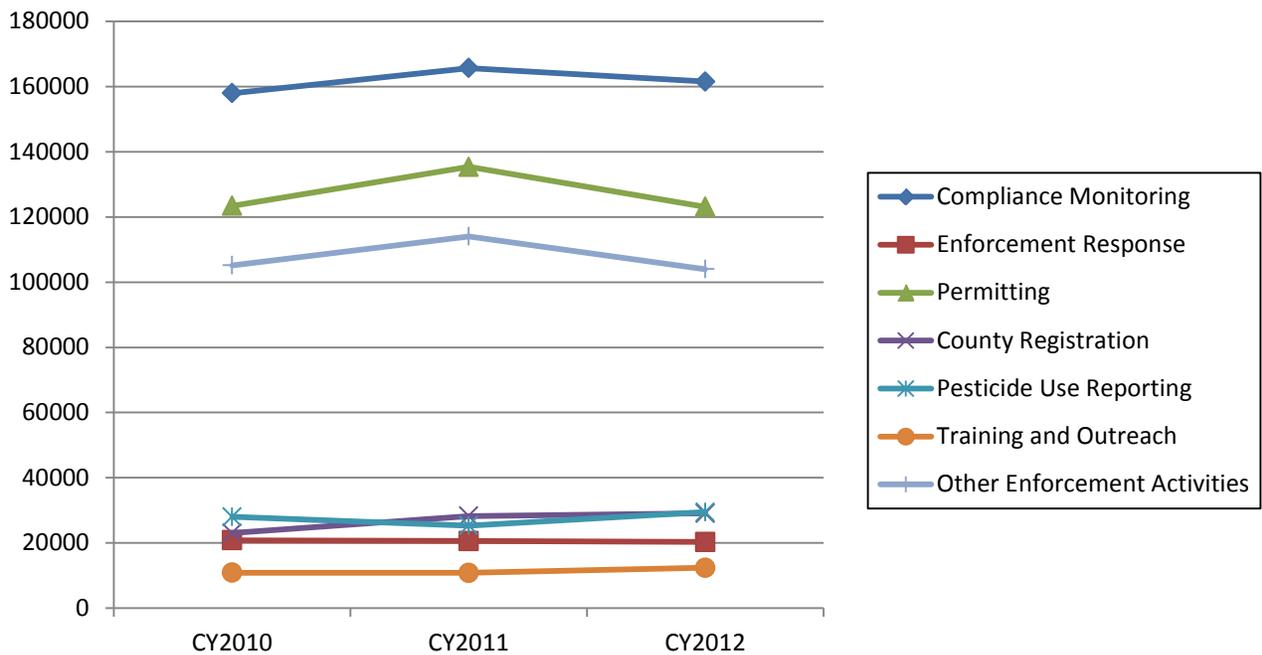
⁶ Funding is on a fiscal year basis. This amount represents 36 percent of the full amount distributed by CDFA for all 10 agricultural programs (FAC 2282) and pesticide use enforcement. The 36 percent represents the typical amount dedicated to pesticide use enforcement.

Statewide Pesticide Regulatory Activities Monthly Report Calendar Year Summary

Percentage of Licensed Work Hours Reported by Category During Calendar Years 2010, 2011, and 2012



Number of Licensed Work Hours Reported by Category For Calendar Years 2010, 2011, and 2012



Source: Calendar Year Queries of the Pesticide Regulatory Activities Monthly Report Database (September 2013)

Statewide Inspection Compliance

Inspection Type	Calendar Year 2010							Calendar Year 2011						Calendar Year 2012							
	Criteria Compliance							Criteria Compliance						Criteria Compliance							
	Number of Inspections	Items That Did Comply	Items That Did Not Comply	Total Items	Rate	Inspections With a Violation	Inspections with 100% Compliance	Number of Inspections	Items That Did Comply	Items That Did Not Comply	Total Items	Rate	Inspections With a Violation	Inspections with 100% Compliance	Number of Inspections	Items That Did Comply	Items That Did Not Comply	Total Items	Rate	Inspections With a Violation	Inspections with 100% Compliance
Agricultural																					
Field Worker Safety	959	5,668	232	5,900	96.1%	147	84.7%	1,010	6,117	288	6,405	95.5%	170	83.2%	956	6,017	201	6,218	96.8%	126	86.8%
Pesticide Use - Application	4,903	82,344	2,460	84,804	97.1%	814	83.4%	5,147	86,815	2,426	89,241	97.3%	853	83.4%	4,598	77,538	1,948	79,486	97.5%	662	85.6%
Pesticide Use - Mix Load	1,931	35,519	362	35,881	99.0%	148	92.3%	2,149	37,602	385	37,987	99.0%	167	92.2%	1,948	33,545	249	33,794	99.3%	117	94.0%
Commodity Fume	429	9,081	11	9,092	99.9%	8	98.1%	470	10,134	11	10,145	99.9%	7	98.5%	451	9,802	38	9,840	99.6%	14	96.9%
Field Fumigation	655	18,410	44	18,454	99.8%	28	95.7%	874	24,284	95	24,379	99.6%	53	93.9%	875	24,710	37	24,747	99.9%	27	96.9%
Records	3,936	55,999	1,488	57,487	97.4%	578	85.3%	3,818	54,173	1,459	55,632	97.4%	570	85.1%	3,329	49,036	1,139	50,175	97.7%	423	87.3%
Totals:	12,813	207,021	4,597	211,618	97.8%	1,723	86.6%	13,468	219,125	4,664	223,789	97.9%	1,820	86.5%	12,157	200,648	3,612	204,260	98.2%	1,369	88.7%
Structural																					
Fumigation	1,830	53,274	152	53,426	99.7%	95	94.8%	2,001	52,439	178	52,617	99.7%	115	94.3%	2,410	62,321	179	62,500	99.7%	129	94.6%
Non-Fumigation Application	1,036	18,877	244	19,121	98.7%	140	86.5%	1,068	19,464	230	19,694	98.8%	145	86.4%	922	16,889	165	17,054	99.0%	95	89.7%
Non-Fumigation Mix Load	161	2,449	42	2,491	98.3%	21	87.0%	189	2,431	36	2,467	98.5%	17	91.0%	173	2,229	19	2,248	99.2%	14	91.9%
Records	1,264	12,533	255	12,788	98.0%	154	87.8%	1,396	13,560	371	13,931	97.3%	217	84.5%	1,252	12,416	259	12,675	98.0%	166	86.7%
Totals:	4,291	87,133	693	87,826	99.2%	410	90.4%	4,654	87,894	815	88,709	99.1%	494	89.4%	4,757	93,855	622	94,477	99.3%	404	91.5%
Overall Totals:	17,104	294,154	5,290	299,444	98.2%	2,133	87.5%	18,122	307,019	5,479	312,498	98.2%	2,314	87.2%	16,914	294,503	4,234	298,737	98.6%	1,773	89.5%

Inspection numbers only include completed non-oversight inspections to DPR.

Prepared 10/24/2013

Statewide County Closed Compliance Actions and Closed Enforcement Actions

	<u>2010</u>		<u>2011</u>		<u>2012</u>	
	<u>Hours</u>	<u>Numbers</u>	<u>Hours</u>	<u>Numbers</u>	<u>Hours</u>	<u>Numbers</u>
VII. Compliance Actions						
A. Warning Letters / Violation Notices		3195		3396		2886
B. Cease and Desist Orders		202		206		257
C. Documented Compliance Interviews		33		22		30
Total:	10253	3430	10751	3624	10709	3173
IX. Enforcement Actions						
A. Administrative Action:						
1. Restricted Materials Permit		2		4		2
2. Private Applicator Certifications		6		5		1
3. County Registrations		0		1		0
4. Structural Civil Penalties		234		395		388
5. Agricultural Civil Penalties		555		533		569
B. Judicial Actions:						
1. Notice to Appear (Citations)		0		0		0
2. Cases Submitted to DA		0		3		2
3. Civil Complaints Filed		0		0		0
4. Criminal Complaints Filed		0		0		0
C. Referrals to DPR						
		1		1		1
Total:	10549	798	9829	942	9672	963

Note: Compliance and Enforcement actions are not necessarily taken in the same fiscal year when the violation occurs. Additionally, some actions may be due to discovery of violations by means other than inspections such as through investigations.

Source: Calendar Year Queries of the Pesticide Regulatory Activities Monthly Report Database (September 2013)

Most Common Agricultural Inspection Violations

Elements Evaluated	2010 Criteria Evaluated			2011 Criteria Evaluated			2012 Criteria Evaluated			Overall 2010 - 2012 Criteria Evaluated			
	Met	Not Met	Total	Met	Not Met	Total	Met	Not Met	Total	Met	Not Met	Total	Percent Compliance
Follows Labeling and/or Permit Conditions	20,068	483	20,551	21,595	484	22,079	19,910	389	20,299	61,573	1,356	62,929	98
Handler Training	12,064	387	12,451	12,820	361	13,181	11,433	263	11,696	36,317	1,011	37,328	97
Handler Decontamination Facilities	10,103	259	10,362	11,118	267	11,385	9,882	210	10,092	31,103	736	31,839	98
Containers Labeled / Closures	9,017	69	9,086	9,677	80	9,757	8,893	50	8,943	27,587	199	27,786	99
Regulations – Personal Protective Equipment	8,886	426	9,312	9,483	439	9,922	8,609	326	8,935	26,978	1,191	28,169	96
Respiratory Protection	8,295	417	8,712	8,202	390	8,592	7,579	262	7,841	24,076	1,069	25,145	96
Proper Containers	8,225	30	8,255	8,568	18	8,586	7,811	6	7,817	24,604	54	24,658	100
Labeling Available at Use Site	7,653	193	7,846	8,272	210	8,482	7,557	165	7,722	23,482	568	24,050	98
Emergency Medical Care, Posting	7,209	329	7,538	7,897	327	8,224	7,102	233	7,335	22,208	889	23,097	96
Containers Secured / Attended	7,100	37	7,137	7,906	43	7,949	7,178	34	7,212	22,184	114	22,298	99
Equipment in Good Repair and Safe	6,806	16	6,822	7,452	18	7,470	6,696	13	6,709	20,954	47	21,001	100
Pest Control Business / Equipment Registered	6,771	257	7,028	7,536	238	7,774	6,794	215	7,009	21,101	710	21,811	97
Protection of Persons / Animals / Property	5,922	30	5,952	6,461	22	6,483	5,912	20	5,932	18,295	72	18,367	100
Proper Pesticide Transport	4,958	23	4,981	5,690	27	5,717	5,330	20	5,350	15,978	70	16,048	100
Containers Properly Rinsed	4,064	28	4,092	4,227	28	4,255	3,835	25	3,860	12,126	81	12,207	99

Most Common Structural Inspection Violations

Elements Evaluated	2010 Criteria Evaluated			2011 Criteria Evaluated			2012 Criteria Evaluated			Overall 2010 - 2012 Criteria Evaluated			
	Met	Not Met	Total	Met	Not Met	Total	Met	Not Met	Total	Met	Not Met	Total	Percent Compliance
Follows Labeling and/or Permit Conditions	7,822	79	7,901	7,442	63	7,505	7,806	67	7,873	23,070	209	23,279	99
Registered in County / 24 Hour Notice (Fume)	5,519	35	5,554	6,018	51	6,069	6,632	22	6,654	18,169	108	18,277	99
Fumigation In Enclosed Spaces – Requirements	4,998	8	5,006	5,207	8	5,215	6,321	1	6,322	16,526	17	16,543	100
Containers Labeled / Closures	4,174	18	4,192	4,189	11	4,200	4,006	10	4,016	12,369	39	12,408	100
Respiratory Protection	3,803	131	3,934	3,404	137	3,541	3,267	118	3,385	10,474	386	10,860	96
Handler Training	3,618	29	3,647	3,609	40	3,649	3,873	30	3,903	11,100	99	11,199	99
Fumigation – Written Notice to Occupant	3,435	40	3,475	3,399	56	3,455	3,246	48	3,294	10,080	144	10,224	99
Emergency Medical Care, Posting	3,229	31	3,260	3,242	54	3,296	3,369	28	3,397	9,840	113	9,953	99
Regulations – Personal Protective Equipment	3,104	84	3,188	2,655	84	2,739	2,592	65	2,657	8,351	233	8,584	97
Equipment Identified - PCB	2,916	11	2,927	2,796	8	2,804	2,776	8	2,784	8,488	27	8,515	100

Inspection numbers only include completed non-oversight inspections reported to DPR