

Department Name: Agricultural Commissioner / Weights & Measures
Budget Unit: 3210

1. Program Title: Pest Detection/Exclusion/GWSS (Program DB #002)

Program Description: A group of State Mandated programs that are the primary and secondary lines of defense against exotic invasive pests.

	Base	Unfunded	Recommended	Percentage
Appropriations	\$2,202,445	\$93,394	\$2,109,051	4.2%
Reimbursements (-)				
Net Appropriations	2,202,445	93,394	2,109,051	4.2%
Revenues:				
Federal				
State	1,192,657	0	1,192,657	0.0%
Realignment				
Prop 172				
Fees	74,000	0	74,000	0.0%
Other				
Total Revenues	1,266,657	0	1,266,657	0.0%
Carryover	227,502	0	227,502	0.0%
Net Cost	\$708,286	\$93,394	\$614,892	13.2%
Fulltime Equivalent Positions	12.5	1.5	11.0	12.0%

Program Impact: Reduce Staffing levels by 1.5 FTE (.3 FTE Senior Agriculture & Standards Inspector; 1 FTE Senior Agriculture & Standards Inspector Aide; .2 FTE Office Assistant II)

This program area is one of the fundamental reasons for the creation of the Department of Agriculture and the Agricultural Commissioner system. The state has been under threat of invasion from a host of exotic pests since the first grapes and citrus were brought here from Europe and the Mediterranean region in the early 1800's. In response to increased pest pressures the first Commissioners were appointed to inspect incoming shipments and ensure sanitary measures were employed. The threat from these pests is even more real today than it was 150 years ago. With world travel taking hours instead of months, and international trade as robust as it is, there are new pests arriving in California every day. This program is designed to find them and destroy them before they destroy our agricultural economy, food supply and environment.

Make no mistake about it, we are under constant attack. Within the last three years, quarantine areas have been established for three different insect pests in Sacramento County and we have been subject to two additional delimitation surveys for other intercepted insect pests.

Oriental Fruit Fly (2010)

Detrimental to: Pears, plums, cherries, peaches, apricots, figs, citrus, tomatoes and avocados.
This quarantine was in the Rio Linda, Elverta, and Citrus Heights area and impacted a number of vegetable producers and several farmers market locations and required eradication treatments to be conducted.

Light Brown Apple Moth aka LBAM (2011 – present)

Detrimental to: Apple, pear, peach, apricot, nectarine, citrus, persimmon, cherry, almond, avocado, oak, willow, walnut, poplar, cottonwood, Monterey pine and eucalyptus. Some common shrub and herbaceous hosts are grape, kiwifruit, strawberry, berries (blackberry, blueberry, boysenberry, and raspberry), corn, pepper, tomato, pumpkin, beans, cabbage, carrot, alfalfa, rose, camellia, pittosporum, jasmine, chrysanthemum, clover, lupine and plantain.

The presence of Light Brown Apple Moth has resulted in establishment of several quarantine areas throughout the county. The highest agricultural impact is in our Delta region where the quarantine impacts the majority of our pear growers. Growers in the quarantine area must be under compliance agreement in order to ship their commodities out of the county and all growers in the county that ship out of state must be under compliance agreement.

Japanese Beetle (2010 – present)

Detrimental to: Grape, apple, cherry, plum, peach, quince, nectarines, various berries, corn, soybeans, many ornamental flowers and shrubs, and shade trees.

Detection of a Japanese Beetle in Fair Oaks in 2010 resulted in establishment of a delimitation area which upon further detection of two more Japanese Beetles in 2011 resulted in establishment of a quarantine area and an eradication project. The quarantine area and delimitation trapping will continue this year and next year. Residents of the area were subject to mandatory pesticide treatments to avoid establishment of this quarantine pest.

Delimitation Areas

In addition, there were two delimitations of pest finds that did not result in quarantine or treatment. One was in 2010 in the Meadowview area for **Peach Fruit Fly** and the other was in 2009 in the Mack Road area for **Mexican Fruit Fly**. In both cases, a single insect was detected but delimitation indicated that there was no infestation present.

There are many thousands of shipments of agricultural concern coming into Sacramento County at numerous receiving points that require inspection. Reduced staffing levels of 1.5 FTE will result in the following:

1. **Random Spot Inspections:** Cessation of regular parcel inspection at our high risk pathways and replacement with a random spot inspection program. The inspectors will need to prioritize calls based on pest risk and release those that cannot be inspected in a timely manner.
2. **Increased Risk of Infestations:** Risk of pest infestation will increase due to random inspections.
3. **“Low Priority” Message to Industry:** Inspecting shipments on an irregular basis sends a message to shippers and receivers that inspection of incoming plant material is a low priority.
4. **Delay in Inspection Requests:** The processing of service requests and dispatching of those requests will be delayed resulting in some delay/disruption of the ability of Sacramento businesses to offer nursery plants, flowers, bulbs, and seeds for sale for both intrastate and interstate commerce.
5. **Increase in GWSS Program Costs:** This staff reduction will also result in the loss of a low cost Aide supervision position for our Glassy-Winged Sharpshooter (GWSS) program with those

supervision duties being reassigned to a Deputy Agricultural Commissioner who is already impacted by previous years' staff reductions. The GWSS program will receive less supervision at a higher cost

Revenue Impact in FY 2013-14

This proposed reduction of \$93,394 will result in a loss of an additional \$37,358 in Gas Tax Revenue in FY 2013-14.

Mandates are included in Food and Agricultural Sections 2001, 2003, 2242, 2274, 5024, 5101, 5205, 5403, 5571, 6401, 6501, 7205.

Potential Impact on other Departments/Program Partners: There is no immediate impact anticipated for other departments or agencies. In the event of pest infestation emergency response, there is an expectation that State, Federal, and local funding would be forthcoming to meet the response needs of the department; however response will not be timely and even with additional funding, supervision and direction of seasonal emergency staff would likely be inadequate.

2. Program Title: General Agriculture & Crop Statistics (Program DB #003)

Program Description: This is a group of mandated agricultural inspection programs designed to prevent the spread of agricultural pests, ensure quality agricultural products are offered in the market place, facilitate the marketing of agricultural produce, nursery stock and seed and generate annual county crop statistics. Each of these programs is mandated by the California Food and Agricultural Code.

Many of these programs are delivered at minimal levels due to the lack of adequate funding. Nursery Inspection is an exception in this group of programs due to significant risk of spreading agricultural and environmentally harmful pests and disease if inadequate inspections are performed. Funding for this program area grew significantly due to the Light Brown Apple Moth infestations on Grand Island and in the Land Park area due to the regulatory requirements of the quarantines. While the funding grew, much of the work must be carried out by licensed staff so it has diverted existing staff from other work activities, impacting pest detection and weights and measures programs.

	Base	Unfunded	Recommended	Percentage
Appropriations	\$80,991	\$46,697	\$34,294	57.7%
Reimbursements (-)				
Net Appropriations	80,991	46,697	34,294	57.7%
Revenues:				
Federal				
State	14,076	0	14,076	0.0%
Realignment				
Prop 172				
Fees	9,320	0	9,320	0.0%
Other				
Total Revenues	23,396	0	23,396	0.0%
Carryover	3,033	0	3,033	0.0%
Net Cost	\$54,562	\$46,697	\$7,633	85.6%
Fulltime Equivalent Positions	1.5	0.5	1	33.3%

Program Impact: Reduce staffing levels 0.5 FTE (.3 Senior Agriculture & Standards Inspector, 0.2 Office Assistant)

These programs are all mandated in state law but often do not have a specific level of service or frequency of inspection. They have therefore, already been reduced to minimum levels of inspection directly tied to their revenue potential. This proposed 0.5 FTE reduction will result in the following:

- Delay in Inspections Requests for Certificates Allowing Sale of Commodities:** Slower response times to requests for Certified Producer Certificates (current response is about 48 hours), Phytosanitary Certificates (currently request appointments in advance but try to service unexpected needs on an on-call basis), and Certificates of Quarantine Compliance (current response is within 24 hours). These slower response times will impact our businesses as most of our Phytosanitary

Certificates are for perishable commodities and slower issuance of the certificates will affect shipping times.

2. **Reduction in Farmers' Market Inspections:** This proposed reduction will also result in a reduction in farmers' market inspections. California leads the nation in farmers markets where the consumer can purchase their produce directly from the grower and ask questions about what pesticides were used in growing that produce and thus make informed decisions about their purchases. The popularity of farmers' markets has increased significantly and with this the lure for illegal sales at those markets has increased proportionately. Not only has our inspection time at these markets not increased during this increase in market sales and popularity but with this reduction, we will have to decrease our presence in those markets, increasing the probability of sales of produce not produced by the seller and purchased from unknown sources as well as misrepresentations of the pesticides used in the production of those commodities. Failure to properly police the farmers markets could result in loss of confidence of the entire direct marketing system.
3. **Continued Reduced Inspections for Nursery, Fruit, Nut & Vegetable Quality:** Nursery inspection and fruit nut and vegetable quality inspections have already been reduced to funded levels except for complaint response.

Revenue Impact for FY 2013-14

This proposed reduction of \$46,697 will result in an additional loss of approximately \$18,679 in Gas Tax Revenue in FY 2013/14.

Food and Agricultural Code Sections 2272, 2274, 2276.5, 2279, 6022, 6903, 7205, 7533, 27561, 29300, 29441, 42651, 47020, 52282, 52361.

Potential Impact on other Departments/Program Partners: The only program in this section that will be continued that does not have direct revenue support will be the development of the annual crop report. The report is required by state law and is useful not only to this department, but to the Auditor, Department of Finance, local banks and lending institutions, and the agricultural industry. Sacramento County exporters ship an estimated \$500 million dollars worth of produce and other agricultural commodities to over 90 countries annually. Service reductions are expected to have a negative impact on these businesses that have continued to thrive even in this weakened economy.

3. Program Title: Pesticide Use Enforcement (Program DB #004)

Program Description: This State Mandated Program regulates the use and handling of all pesticide products, insecticides, herbicides, rodenticides, fungicides, avicides, and antimicrobials in accordance with Division 6 and 7 of the California Food and Agricultural Code. The program is also responsible for all illness investigations related to the use or misuse of pesticide or antimicrobial products, complaints of damage to property or the environment and safety compliance for all employers that have staff who handle pesticide products.

	Base	Unfunded	Recommended	Percentage
Appropriations	\$739,572	\$53,702	\$685,870	7.3%
Reimbursements (-)				
Net Appropriations	739,572	53,702	80,991	7.3%
Revenues:				
Federal				
State	514,065	0	514,065	0.0%
Realignment				
Prop 172				
Fees	23,195	0	23,195	0.0%
Other				
Total Revenues	537,260	0	537,260	0.0%
Carryover	72,801	0	72,801	0.0%
Net Cost	\$129,511	\$53,702	\$75,809	41.5%
Fulltime Equivalent Positions	5.0	0.7	4.3	14.0%

Program Impact: Reduce staffing level .7 FTE (.2 FTE Senior Agriculture & Standards Inspector; .5 FTE Office Assistant)

This state mandated program has been reduced by over 55% in the past three years and will be reduced another 18% from current levels, next year if this proposal is implemented. In 2009 over 13,400 hours were dedicated to the enforcement of pesticide regulations in Sacramento County. We are on track for the current fiscal year to commit approximately 8,800 hours to the pesticide use enforcement program. If the current proposal of 0.7 FTE reduction is implemented, we will have available resources for only 7,200 hours of enforcement for this program in 2012-13.

The Pesticide Use Enforcement (PUE) program must issue over 270 restricted use pesticide permits and an additional 130 grower ID's annually, evaluates over 5,300 application sites, and monitors those applications. The unit is also responsible for monitoring over 800 businesses annually that handle, apply, or are otherwise involved with pesticides as part of their business operation including urban landscape applicators and structural pest control businesses. Many of those businesses are not being monitored as a result of staffing reductions in this program. Site evaluations and monitoring inspections for agricultural applications will be maintained at levels adequate to meet CEQA requirements but safety inspections at employer headquarters will be sharply reduced.

The current proposed 0.7 FTE reduction, coupled with the reductions from the last three years, will result in the following:

1. **Likely Increase in Misuse of Pesticides and Violations:** Potential increases in violations and misuse of pesticides may impact public health and the environment. Many of those violations will go undetected because we do not have adequate staff in the field to monitor usage.
2. **Reduction in Urban Pesticide Use Inspections:** Three of the four remaining field staff will have to focus their attention on agricultural production applications. Urban and structural pest control inspections, with only one staff, will be inadequate to maintain compliance.
3. **Expected Delays in Responding to Pesticide Illnesses and Complaints:** It will be very difficult to maintain quality and timely investigations of illnesses and pesticide related complaints.
4. **Reduced Revenue from Fines/Penalties:** Revenues from fines and penalties will be sharply reduced.

Revenue Impact in FY 2013-14

This proposed reduction of \$53,702 will result in an additional loss of approximately, \$21,481 in Gas Tax Revenue in FY 2013-14.

Mandates for this program are found in Food and Agricultural Code 2281, 11501.5, 11732, 11921, 12031, 12977, 12982, 14004, 14033, 14093, And California Code of Regulations Section 6432, 6436.

Potential Impact on other Departments/Program Partners: No immediate impact is anticipated on other departments. There will be increased response times for questions related to pesticide regulatory issues for departments regularly using pesticides, such as Parks, Transportation, and Water Resources.

SUMMARY OF GAS TAX REIMBURSEMENT IMPACTS FOR ABOVE PROGRAMS 002, 003 & 004:

PROGRAMS IMPACTING GAS TAX REIMBURSEMENTS			
Prog DB #	Program Title	FY 12/13 Proposed Reduction	FY 13/14 Gas Tax Impact
#002	Pest Detection /Exclusion/GWSS	\$93,394	(\$37,358)
#003	General Ag/Crop Statistics	\$46,697	(\$18,679)
#004	Pesticide Use Enforcement	\$53,702	(\$21,481)
	Totals	\$193,793	(\$77,518)

4. Program Title: Weights & Measures (Program DB #005)

Program Description: This state mandated program provides enforcement of weights and measures laws and regulations in all commercial transactions that rely on weight, measure or count for the basis of monetary exchange.

	Base	Unfunded	Recommended	Percentage
Appropriations	\$639,829	\$39,693	\$600,136	6.2%
Reimbursements (-)				
Net Appropriations	639,829	39,693	600,136	6.2%
Revenues:				
Federal				
State	24,611	0	24,611	0.0%
Realignment				
Prop 172				
Fees	552,800	0	552,800	0.0%
Other				
Total Revenues	577,411	0	577,411	0.0%
Carryover	0	0	0	
Net Cost	\$62,418	\$39,693	\$22,725	63.6%
Fulltime Equivalent Positions	4.6	0.3	4.3	6.5%

Program Impact: Reduce staffing level by .3 FTE (.2 Senior Agricultural and Standards Inspector and .1 Office Assistant)

This state mandated program with specific frequencies of inspection is required by law. Annual inspection of weighing and measuring devices, already behind schedule due to 2009-10 and 2010-11 cuts, will fall further behind. Inspection of electric meters, natural gas meters and water meters at mobile home parks and apartments will be discontinued until staffing is restored. The Quantity Control program, the only program in the Weights and Measures Division with significant discretion on inspection frequency, will continue to be unstaffed. Inspections of packaged goods, meat counters and baked goods have already been discontinued.

There are over 16,000 weighing and measuring devices in Sacramento County that are required by law to be inspected on an annual basis (see section 12212 of the B&P Code and Title IV Division 9 Article 1 Chapter 3 sec 4070 of the California Code of Regulations). Less than half of the inspections will be performed.

Approximately 9,900 fuel pumps will be inspected every twenty months instead of annually. Approximately 600 taxies must be inspected annually in order to qualify for their business license and safety inspection to stay in operation. These inspections may be delayed and the businesses will be impacted. Over 2400 computer and counter scales at groceries and other retailers will be inspected every two years or upon complaint, rather than annually as required by law. The result of this lack of

inspection will likely be an increase in error rate for weighed and measured goods and an increase in cost to the consumer due to short weight or measure. Studies have shown that these undetected errors can cost the consumer far more than the cost to maintain an adequate inspection program.

The following table summarizes the reduction impact on inspection frequencies:

Device Type	# in County	Required Frequency	FY 12-13 Frequency
Fuel Pumps	9939	Annual	Every 20 months
Grocery/Retailer Computer & Counter Scales	2469	Annual	Every 2 years
Taxi Meters	604	Annual	Annual but delayed wait times
Meters: Electric, Natural Gas, Water	21,038	10%/year	Discontinued
Quantity Control	All packaged goods, meat & bakery counters	Discretionary Frequency	Discontinued

It has also been shown that once an adequate program is discontinued or severely reduced, it takes years to get compliance rates up to where they were prior to the reduction, so the negative impact to consumers can be expected to extend well beyond any eventual program restoration.

Other pertinent mandates are contained in California Business and Professions Code Sections 12015, 12025.5, 12200, 12210, 12211, 12503, 12504.

Potential Impact on other Departments/Program Partners: Sheriff’s department taxi safety program, City of Sacramento taxi safety program. Sacramento International Airport, taxies and airline baggage handling scales will all be affected. Development of quantity control violation cases for the District Attorney has been eliminated which will have an unknown impact on their consumer fraud and environmental prosecution division revenues and expenditures.