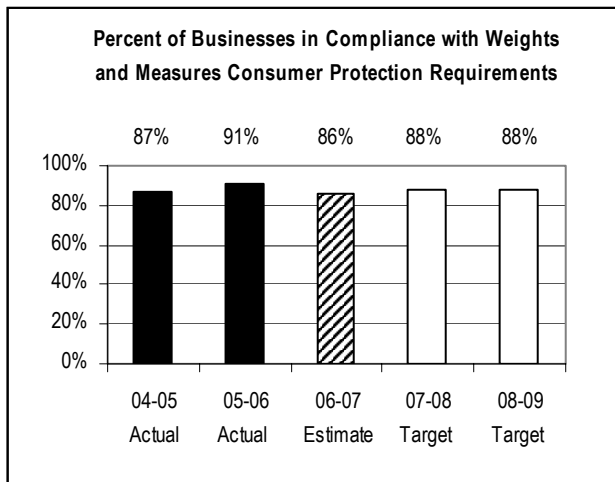
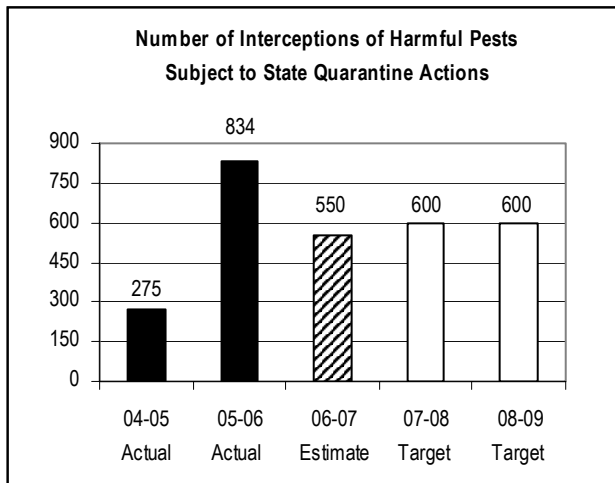


## Agricultural Commissioner/Sealer (6500B)

### Program Locator

County  
 Health  
 Health Department  
 ▷ **Agriculture Commissioner/Sealer**

### Headline Measures



### Program Outcome Statement

The Agricultural Commissioner/Sealer Division protects California's agricultural industry, wildlife, natural resources, and the health and safety of county residents and workers by: (1) preventing the introduction, establishment, or spread of harmful exotic insects, weeds, and plant diseases and by promoting the safe use of pesticides; and (2) ensuring equity in the marketplace and fostering consumer confidence through regulatory oversight of businesses with retail price scanner systems and commercial weighing and measuring devices (e.g., gas pumps and scales) and ensuring pest cleanliness of nursery plants, quality of fresh fruits and vegetables, and the integrity of organic produce and certified sellers at local farmers' markets.

### Services and Accomplishments

The Agricultural Commissioner/Sealer Division primarily contributes to the goals of the Shared Vision 2010 commitment to Preserve and Provide People Access to Our Natural Environment and to Ensure Basic Health and Safety For All through the Pest Prevention and Pesticide Regulation programs and by providing a variety of agricultural and weights/measures regulatory inspection services performed under the direction of the California Department of Food and Agriculture (CDFA) and the California Department of Pesticide Regulation (CDPR). State mandates and contract workplans establish program priorities and determine the annual allocation of staff resources for pest exclusion inspections at the San Francisco International Airport (SFO), truck shipments to nurseries, as well as countywide pest detection insect trapping. Division Biologists also perform inspections to certify agricultural commodities for export to 30 other states and foreign countries. Pesticide Regulation activities focus on worker safety, protection of endangered species, monitoring of pesticide applications at sensitive sites, water quality/watershed protection issues, and continuing education programs for growers.

Regulatory activities that foster consumer protection include daily inspections at the Golden Gate Produce Terminal in South San Francisco to ensure the sale of high quality fruits and vegetables and compliance with container labeling requirements, inspections at wholesale nurseries to ensure that nursery stock meets State standards for pest cleanliness, and inspections at certified farmers' markets to verify that vendors are "certified" farmers selling only agricultural products produced on their own farms. In the weights and measures programs, businesses are inspected to check the accuracy of various types of commercial scales and meters such as gasoline pumps. Audits are performed at retail establishments to verify the accuracy of price scanner systems. The Division responds to consumer complaints received directly from consumers or through referrals from the District Attorney's Office or the State Division of Measurement Services. The Division may issue violation notices or levy administrative fines to ensure compliance.

The publication of annual crop production statistics in the *San Mateo County Agricultural Crop Report* promotes the local agricultural industry.

The following were major accomplishments in the prior year:

- Secured additional State funding for High Risk Pest Exclusion agricultural shipment inspections at SFO and coastsider nurseries
- Coordinated staff assignments to facilitate an expanded food safety and quality inspection program at Golden Gate Produce Terminal
- Implemented Pesticide Enforcement Response Policy regulations to strengthen program compliance
- Developed a successful grant application that will fund future San Mateo County Weed Management Area projects designed to eradicate invasive weeds and restore native plants
- Expanded the annual *Agricultural Crop Report* to include information for consumers on locations to purchase locally grown fresh produce, flowers, and fish
- Initiated a new public relations/marketing contract with San Mateo County Farm Bureau to promote San Mateo County agriculture and the health benefits of locally grown agricultural products

### **Story Behind Performance**

Under the San Mateo County Organizational Review approved by the Board of Supervisors in September 2006, the Agricultural Commissioner/Sealer Division was transferred to the Health Department. Division administrative staff worked with Health Department Administration to facilitate the transition.

The California Department of Food and Agriculture (CDFA) restored a portion of High Risk Pest Exclusion (HRPE) contract funding for the second consecutive year. The expansion of staff time expended on pest prevention inspections resulted in increases in the percentage of shipments that were issued rejection notices documenting State quarantine regulation violations, and the number of interceptions of harmful pests. Plant or produce shipments with harmful pests that are subject to State quarantine action must be disposed of or treated to destroy or remove the pest. The Division receives State funding to fight the spread of the Glassy-winged Sharpshooter and Pierce's Disease, which threaten California's grape industry. Activities include the placement and servicing of insect traps and agricultural inspections at retail and wholesale nurseries receiving plant shipments. San Mateo County is one of several Bay Area counties infested with Sudden Oak Death (SOD) and receives State funding for SOD regulatory activities.

Agricultural pesticide users and pest control businesses are required to submit reports of pesticide use and are required to obtain an annual permit to use certain restricted pesticides. The Division will be upgrading the Restricted Material Permit and pesticide use reporting computer software to integrate Geographic Information System (GIS) capacity to track pesticide use relative to sensitive sites, endangered species, salmonid streams, and other emerging

regulatory and environmental protection issues. State law gives County Agricultural Commissioners the authority to levy administrative civil penalties for violations of pesticide laws and regulations. A new statewide Enforcement Response Policy was placed into regulation in December 2006. The Division levied 16 administrative civil penalties during FY 2005-06. The Division continued to sponsor continuing education sessions for growers and other certified pesticide users and held a pesticide safety training session for agricultural field workers. The California Healthy Schools Act restricts the use of certain pesticides on public school property, encourages the adoption of integrated pest management, and mandates certain notification and record keeping requirements. The Division contacted San Mateo County school districts to ensure they had information on these pesticide use requirements.

The Board of Supervisors approved a new annual device registration fee schedule for the 2006 and 2007 calendar years. These fees are used by counties to fund consumer protection regulatory programs involving the testing and inspection of commercially-used weighing and measuring devices. Gasoline dispensers, retail scales, taximeters, vehicle scales, and other devices are inspected for accuracy and "sealed" to ensure equity in the market place.

The Division continued its practice of providing cross-training opportunities for Biologist/Standards Specialists whose work experience has been largely in agricultural inspection, giving the Division more flexibility in assigning work and completing required inspections.

The Division received State funds for fruit and vegetable inspections at the Golden Gate Produce Terminal beginning in July 2006. This terminal is the largest wholesale produce market in northern California. Inspections ensure that labels on wholesale containers of fresh fruits and vegetables include the information required for trace-back investigations involving a food-borne pathogen or contaminant. As anticipated, state legislation was enacted in Spring 2007 to provide County Agricultural Commissioners the authority to levy civil penalties for fruit and vegetable quality and labeling violations.

Customer satisfaction remains high. The Division distributed over 1,200 surveys, with an estimated 98% of survey respondents rating services as good or better.

### **Major challenges over the next two years will be:**

- To ensure that staff receive adequate training and remain current on emerging pest threats, integrated pest management (IPM), new pesticide regulations, and procedures for administrative penalty case preparation and hearings
- To develop additional outreach methods for increasing consumer awareness of the Division's services and how to submit a consumer complaint or question
- To effectively implement administrative civil penalties for produce labeling and quality violations
- To administer the State grant for San Mateo County Weed Management Area projects for eradication of exotic weeds and restoration of native plants

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**Program Objectives**Ensure that 97% Percent of Agricultural and Pest Control Businesses are in Compliance with all Pesticide Regulatory Requirements

- Upgrade Division's restricted material pesticide permit program, implement electronic pesticide use reporting, and initiate the use of GIS for pesticide regulatory data
- Train additional Biologists in IPM and pesticide regulatory work to increase the number of staff able to respond to industry and homeowner requests for information

Intercept 600 Harmful Pests Subject to State Quarantine Actions

- Continue SOD and Glassy-winged Sharpshooter/Pierce's Disease public presentations
- Evaluate website for possible further expansion of information on pest detection program, SOD, Glassy-winged Sharpshooter/Pierce's Disease, and invasive weeds
- Arrange for pest identification training sessions from State agency experts or experienced staff

Ensure that 88% of Businesses are in Compliance with Weights and Measures Consumer Protection Requirements

- Expand cross training of Biologist/Standards Specialists in price scanner inspections
- Train additional staff in small scale and petroleum inspections, water meter testing procedures, and other device inspections to promote more efficient use of employee time across all programs

**Performance Measures Summary Table**

<b>Performance Measures</b>	<b>FY 2004-05 Actual</b>	<b>FY 2005-06 Actual</b>	<b>FY 2006-07 Estimate</b>	<b>FY 2007-08 Target</b>	<b>FY 2008-09 Target</b>
<b>What/How Much We Do</b>					
Number of pesticide inspections (including applications monitored, field worker inspections, training, and business record audits)	652	608	640	640	1
Number of agricultural plant product shipments inspected	23,927	19,676	18,000	19,000	19,000
Number of business locations inspected for accuracy of weighing and measuring devices or for price scanner audits	2,721	2,837	2,600	2,600	2,600
<b>How Well We Do It (Quality)</b>					
Percent of agricultural plant product shipments rejected for violations of quarantine regulations	2%	3%	3%	3%	3%
Percent of business locations inspected for weights and measures requirements versus annual goals	100%	100%	94%	97%	97%
<b>Is Anyone Better Off? (Outcome)</b>					
Number and percent of agricultural and pest control businesses in compliance with all pesticide regulatory requirements	505 / 97%	515 / 98%	460 / 96%	475 / 97%	475 / 97%
Number of interceptions of harmful pests subject to State quarantine actions	275	834	550	600	600
Number and percent of businesses in compliance with weights and measures consumer protection requirements	1,636 / 87%	1,600 / 91%	1,600 / 86%	1,600 / 88%	1,600 / 88%

## Agricultural Commissioner/Sealer (6500B) Resource Allocation Summary

	Actual 2004-05	Actual 2005-06	Revised 2006-07	Recommended 2007-08	Change 2007-08	Recommended 2008-09
Salary Resolution	28.0	28.0	31.0	31.0		31.0
Funded FTE	26.4	26.4	27.9	28.7	0.8	28.7
<b>Total Requirements</b>	2,927,860	3,267,449	3,524,213	3,766,629	242,416	3,881,875
<b>Total Sources</b>	2,343,412	2,533,963	2,668,932	2,664,024	(4,908)	2,664,024
<b>Net County Cost</b>	584,448	733,485	855,281	1,102,605	247,324	1,217,851
<b>NCC Breakdown</b>						
High Risk Pest Exclusion MOE			132,000	132,000		132,000
Weights & Measures MOE			124,926	81,590	(43,336)	90,810
Agricultural-Mandated			43,988	62,231	18,243	69,653
Weights & Measures-Mandated			7,038	8,890	1,852	9,950
Mandated Services			547,329	817,894	270,565	915,438

### Program Net County Cost

The portion of this program's FY 2007-08 Recommended Budget which is funded by the General Fund or Net County Cost (NCC) is \$1,102,605 or 29.6%, of which \$889,015 or 80.6% is discretionary. This discretionary amount includes Mandated Services currently provided with no maintenance-of-effort or local match requirements, and Discretionary Services that include pest prevention services and inspections, pesticide regulatory activities, and agricultural and weights and measures consumer protection inspections. However, each dollar reduction in agricultural NCC expenditures will result in a corresponding reduction in unclaimed State gas tax subvention.

### FY 2007-08 Program Funding Adjustments

The following are significant changes from the FY 2006-07 Revised to the FY 2007-08 Recommended Budget:

#### 1. Adjustments to Provide Current Level of Services

Budget adjustments have been made to meet performance targets: negotiated labor increases; inclusion of merit increases; annualization of mid-year position changes; decrease in State contract revenue; elimination of Intrafund Transfers; adjustments to Fund Balance based on FY 2006-07 year-end projections; and reductions in operating costs.

Revenue/Sources	Appropriations	Intrafund Transfers	Reserves	Net County Cost	Positions
(82,808)	(710,474)	972,637	0	344,971	0

**2. Increase in Weights and Measures Fees**

Implementation of new fee schedules will provide full cost recovery for the device inspection program, increase the cost recovery for price scanner inspections, and allow the Division to maintain its current level of inspection. Device Registration and Point-of-Sale System annual registration fees are used to fund consumer protection regulatory inspections involving the testing and inspection of commercially-used weighing and measuring devices and retail price scanner systems. These inspections support the achievement of performance targets for businesses inspected for devices and price scanner accuracy and businesses in compliance with weights and measures requirements.

Revenue/Sources	Appropriations	Intrafund Transfers	Reserves	Net County Cost	Positions
72,900	0	0	0	(72,900)	0

**3. Staffing Adjustments for State High Risk Pest Exclusion (HRPE) Contract**

Two vacant Biologist/Standards Specialist IV–U positions are being deleted and two Biologist/Standards Specialist II–U positions added. The adjustments are being made to more accurately reflect the actual costs and expected level of State contract revenue funding for these positions, which focus on ensuring thorough inspections of agricultural shipments at San Francisco International Airport (SFO) and Florida-origin nursery stock at wholesale nurseries. These inspections support the achievement of performance targets for agricultural plant product shipments rejected for violations of quarantine regulations and interceptions of harmful pests subject to State quarantine actions.

Revenue/Sources	Appropriations	Intrafund Transfers	Reserves	Net County Cost	Positions
0	(90,225)	0	0	(90,225)	0

**4. Replacement of Agricultural Vehicles**

Thirteen aging vehicles used for agricultural inspections are being replaced. These vehicles are integral to the Division's ability to perform mandated field inspections, meet contractual obligations, provide services to industry, and meet performance targets involving agricultural pest prevention and the enforcement of pesticide regulations. Motor vehicle annual replacement charges will be covered by revenue available from the increase in Device Registration fees.

Revenue/Sources	Appropriations	Intrafund Transfers	Reserves	Net County Cost	Positions
0	59,478	0	0	59,478	0

**5. Upgrades for Pesticide Program Computer Equipment**

Purchase of five PC tablets for the pesticide regulatory field staff supports achievement of performance targets and program priorities related to the pesticide regulatory program of agricultural operations and pest control businesses in compliance with pesticide regulations. This computer equipment upgrade will allow field staff to use State-funded software provided by the California Department of Pesticide Regulation that generates electronic pesticide regulatory inspection forms and creates an inspection record database, improving services to businesses that apply pesticides and resulting in more efficient use of staff time.

Revenue/Sources	Appropriations	Intrafund Transfers	Reserves	Net County Cost	Positions
0	11,000	0	0	11,000	0

**6. Increase in User Fees for Agricultural Inspection Certification**

Agricultural inspections of plant and produce shipments are performed by Division biologists at the request of growers and shippers, who pay a fee for this service. Inspection is required in order to certify the shipments for export to other states and countries. These user fees are being increased to provide full cost recovery for the inspections and allow services to industry to remain at current levels.

Revenue/Sources	Appropriations	Intrafund Transfers	Reserves	Net County Cost	Positions
5,000	0	0	0	(5,000)	0

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**TOTAL FY 2007-08 PROGRAM FUNDING ADJUSTMENTS**

Revenue/Sources	Appropriations	Intrafund Transfers	Reserves	Net County Cost	Positions
(4,908)	(730,221)	972,637	0	247,324	0

**FY 2008–09 Program Funding Adjustments**

The following are significant changes from the FY 2007-08 to the FY 2008-09 Recommended Budget:

**7. Adjustments to Provide Current Level of Services**

Budget adjustments have been made to meet performance targets: negotiated labor increases; and inclusion of merit increases.

Revenue/Sources	Appropriations	Intrafund Transfers	Reserves	Net County Cost	Positions
0	115,246	0	0	115,246	0

## Agricultural Commissioner/Sealer (6500B) General Fund

### FY 2007-08 and 2008-09 Budget Unit Summary

	Actual 2004-05	Actual 2005-06	Revised 2006-07	Recommended 2007-08	Change 2007-08	Recommended 2008-09
<b>SOURCES</b>						
Licenses, Permits and Franchises	286,554	359,337	399,000	471,900	72,900	471,900
Fines, Forfeitures and Penalties	12,483	29,988				
Intergovernmental Revenues	1,597,856	1,895,435	2,016,648	1,958,714	(57,934)	1,958,714
Charges for Services	160,318	150,958	171,700	176,700	5,000	176,700
Miscellaneous Revenue	1,909	20,244	200	200		200
<b>Total Revenue</b>	<b>2,059,119</b>	<b>2,455,961</b>	<b>2,587,548</b>	<b>2,607,514</b>	<b>19,966</b>	<b>2,607,514</b>
Fund Balance	284,293	78,002	81,384	56,510	(24,874)	56,510
<b>TOTAL SOURCES</b>	<b>2,343,412</b>	<b>2,533,963</b>	<b>2,668,932</b>	<b>2,664,024</b>	<b>(4,908)</b>	<b>2,664,024</b>
<b>REQUIREMENTS</b>						
Salaries and Benefits	2,589,870	2,731,910	2,947,373	3,145,805	198,432	3,261,051
Services and Supplies	800,987	935,227	1,103,383	90,758	(1,012,625)	90,758
Other Charges	252,954	405,920	409,911	493,883	83,972	493,883
<b>Gross Appropriations</b>	<b>3,643,811</b>	<b>4,073,057</b>	<b>4,460,667</b>	<b>3,730,446</b>	<b>(730,221)</b>	<b>3,845,692</b>
Intrafund Transfers	(752,134)	(841,791)	(972,637)		972,637	
<b>Net Appropriations</b>	<b>2,891,677</b>	<b>3,231,266</b>	<b>3,488,030</b>	<b>3,730,446</b>	<b>242,416</b>	<b>3,845,692</b>
Contingencies/Dept Reserves	36,183	36,183	36,183	36,183		36,183
<b>TOTAL REQUIREMENTS</b>	<b>2,927,860</b>	<b>3,267,449</b>	<b>3,524,213</b>	<b>3,766,629</b>	<b>242,416</b>	<b>3,881,875</b>
<b>NET COUNTY COST</b>	<b>584,448</b>	<b>733,485</b>	<b>855,281</b>	<b>1,102,605</b>	<b>247,324</b>	<b>1,217,851</b>
<b>AUTHORIZED POSITIONS</b>						
<b>Salary Resolution</b>	28.0	28.0	31.0	31.0		31.0
<b>Funded FTE</b>	26.4	26.4	27.9	28.7	0.8	28.7