



Credit 2009 Agricultural Crop Report

**2010 - 2011
Madera County Grand Jury
Final Report
Madera County Department of Agriculture/
Sealer of Weights and Measures**

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Introduction:

In its review of the operations of the Madera County Department of Agriculture/Sealer of Weights and Measures (Ag Dept.), the Grand Jury examined the department budget along with staffing levels, organization, and functions. Interviews were conducted with the Agricultural Commissioner, two agricultural inspectors, a local conventional farmer, two local organic farmers, and a local retail grocery store manager.

Findings:

The Ag Dept. works to promote and protect the agricultural industry of Madera County by protecting agriculture from the spread of destructive pests, promoting the safe and responsible use of pesticides to allow for the protection of crops, and protecting human health and the environment. Programs administered by the Ag Dept. include pesticide use enforcement; pest prevention; pest management; nursery and seed inspection; fruit, vegetable, and egg quality control; organic and certified producer programs; apiary inspection; and crop statistics. It also protects consumers and merchants through enforcement of weights and measures standards.

The Ag Dept. is responsible for issuing pesticide permits and overseeing both growers and agricultural pest control businesses. Specific functions are:

- Office staff administers periodic mandated tests to growers who apply to use pesticides.
- The department offers on-line access to its 55-page manual, The Answer Book 2003, which contains the basic regulatory requirements for pesticide use and ways to simplify compliance. This manual has not been updated since it was published. It is no longer available in hard copy.
- Growers may consult with department staff on the use and handling of regulated pesticide materials.
- Through random inspections, ag inspectors enforce the use of precautionary measures to be taken in the use of pesticides, including the wearing of specific articles of clothing and storage of chemical materials in their original containers with labels prominently displayed.

Pest prevention is pursued on three levels to prevent the spread of pests, including insects, weeds, plant diseases, and animals. These levels are:

- The pest exclusion program seeks to prevent the introduction of detrimental pests that are not common in the county. Annual inspections to ensure pest cleanliness are performed at all nursery locations. Incoming shipments of plant material are inspected for potentially harmful pests, and non-plant material shipments, such as beehives, may also be inspected.
- Insect traps and surveys are used in the pest detection program to discover foreign pests which may have eluded exclusion efforts. The program attempts to detect small, isolated areas of possible infestation so that these pests can be eradicated before they spread to other areas.
- The integrated pest control program strives to eradicate small infestations of new pests before they become widespread.

Control of pests already established in the county, including harmful insects, weeds, and rodents, is the goal of the pest management program. Control measures include:

- The vertebrate pest management program provides information and materials to growers and homeowners for the control of certain depredating vertebrate pests, such as gophers and moles. Gas cartridges for the control of ground squirrels are available for purchase at the Ag Dept. It no longer sells Diphacinone Grain bait. Fresno is now the closest location where growers can obtain this material.
- Natural parasites and predators are used to reduce populations of insects and weeds in the biological control program.
- The Glassy-Winged Sharpshooter program uses traps, surveys, and inspections of incoming shipments of plant materials to detect and control the pest. The sharpshooter is particularly threatening to county agriculture because it is a vector for Pierce's Disease, a potentially catastrophic disease of vineyards.

The intent of the nursery inspection program is to prevent the spread of injurious pests through infested nursery stock. The program aims to assure that consumers receive nursery stock which is reasonably free of common pests and in viable condition. Wholesale nurseries are inspected annually and more frequently when non-compliance issues are found.

The certified seed program seeks to assure purity, viability, and identity of agricultural and vegetable seed by:

- Ag inspectors check agricultural, vegetable, grass, and flower seed at retail and wholesale outlets throughout the county to ensure compliance with the California Seed Law. Seed must be labeled correctly as to purity, germination, percentage, kind or variety, and contaminants.

- Official samples of seed are submitted to the California Department of Food and Agriculture Seed Laboratory for analysis. The results are then compared to the label on the sampled seed container to verify that the labeling truly represents the commodity.
- Seed lots are inspected for possible insects of quarantine significance, noxious weeds, and noxious seeds.

The fruit and vegetable quality control program is responsible for assuring that fruits, nuts, and vegetables entering the marketplace meet minimum marking, container, and quality standards. The main crops tested in the county are apples, grapes, and pomegranates.

Enforcement of regulations pertaining to quality, weight, and marking requirements for shell eggs is provided through the egg quality control program. Eggs are inspected regularly throughout the county at various retail and wholesale establishments, or when there is reasonable suspicion of a violation, and upon receiving a consumer complaint.

Producers, handlers, and processors who wish to market their commodities as organic are required to register annually with the California Department of Food and Agriculture. The Ag Dept. makes available the annual registration packets. Records inspections are performed as well as investigations of complaints concerning non-compliances relating to the California Organic Foods Act.

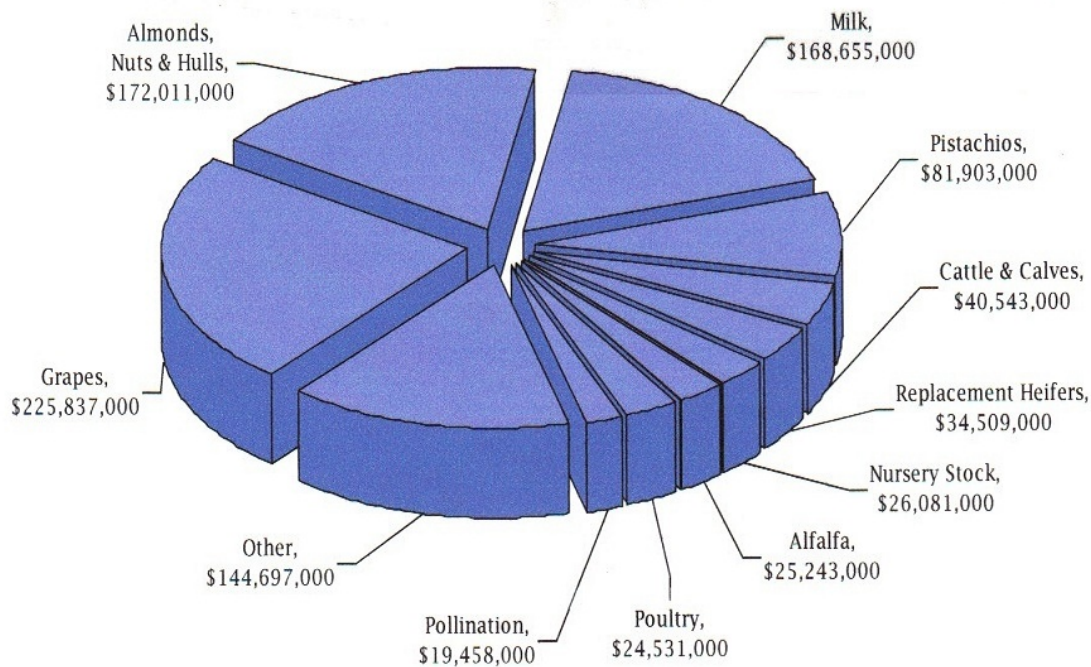
The certified producer program provides oversight of all growers who sell their crop directly to consumers at farmers' markets. The Ag Dept. registers certified producers and conducts inspections of the growing site to assure that the sellers produce the products they market.

Apiary services are provided through the bee protection and colony strength programs by two methods:

- Beekeepers may register their bees with the Ag Dept. to receive notification when bee toxic materials will be applied near their hives. To protect against large losses of bees due to pesticide use, growers must report any planned application of a bee kill material.
- Inspectors assess the colony strength by random sampling of the hives to determine the number of frames per hive the bees are actively using for the colony.

The Ag Dept. compiles and publishes the annual Agricultural Crop Report for the county. Crop yield information is collected by conducting surveys among the county's growers to generate a representation of Madera County agriculture. The most recent report available, for 2009, shows Madera County's agricultural production ranking twelfth among counties of California and twenty-first among counties of the United States. Nine of the county's commodities are exported to sixty-four countries around the world.

MADERA COUNTY 2009 TEN LEADING CROPS



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The Ag Dept. staff has established visibility in the agricultural community through random patrolling and enforcement of regulations by issuance of citations when violations are found. Local growers and merchants have found the staff to be professional, efficient, competent, and timely in the provision of services.

Ag inspectors must be qualified, through training, testing, and State licensure, to work in each program to which they are assigned. Five of the current ag inspectors have attained the number of individual licenses required for classification as a Senior Agricultural Inspector. However, they tend to become specialists in their assigned program(s).

The Grand Jury found that, due to budget cuts, the permanent inspection staffing level has been reduced by four positions (from 14 to 10) in the past two years. Available staff has been reduced by two mandatory furlough days each month. Department staff is concerned that, with reduced staffing levels and less work time, they may not be able to provide timely services for time-sensitive operations, such as inspection and certification of crops to be exported, or to maintain a satisfactory level of enforcement of regulations.

Eight seasonal employees are hired for the months of April through November to perform insect trapping activities associated with State contracts. The County is fully reimbursed by the State for all expenditures incurred for these seasonal programs.

Department staff is concerned about the level of employee turnover. The reason for such turnover they believe is higher salaries offered by other counties and private industry. The Grand Jury found that the issue of comparable salaries for County employees generally has been addressed frequently in past Grand Jury reports.

Some non-mandated services are provided on a fee-for-service basis. The department reported that fees charged are outdated and do not cover the cost of providing the service. The Board of Supervisors has requested that each department review fee schedules for possible modification.

The Weights and Measures Division of the Ag Dept. is responsible for consumer and merchant protection through regulation of all weight or measuring devices used in commercial transactions, and inspection of packaged goods for proper labeling and accurate quantity. This is accomplished in two ways:

- Merchants' weight and measuring devices are subject to annual inspection by the Sealer of Weights and Measures. The Sealer's services also are required for inspection and certification of new or repaired devices. Common devices inspected include gas pumps, grocery store scales, jewelry scales, propane meters, water dispensers, taximeters, and timers.
- Routine inspections of packers, distributors, and retailers are conducted to audit the contents of packaged products. Sample packages are tested to see that the contents equal the amount stated on the label. Every type of packaged commodity is subject to quantity control inspection, including food, seed and garden products, bread and bakery items, cheese and dairy products, farm products and supplies, building materials and maintenance supplies, feed and grain, and automotive and industrial lubricants, chemicals, and cleaners.

Recently, the inspector who performed the Sealer of Weights and Measures duties left the department. The department reported that, although other inspectors are licensed for that program, on-the-job training is needed to perform the actual duties, and none of the other inspectors had received the requisite training.

Conclusions:

The Grand Jury concludes that consumers benefit from the services provided by the Ag Dept.

The county's agricultural production level is significant for the county, the state, the nation, and the world. The success of local agricultural enterprises is critical to the county's economy. The services provided by the Ag Dept. contribute significantly to the success of the agricultural community. A reduction in the level of critical services provided could have serious, possibly even disastrous, effects on agricultural production and the county's economy.

The positive reports by growers and merchants regarding the high quality and quantity of services received from the Ag Dept. indicate that their needs have been met by prior staffing levels. The reduction in the number of ag inspectors by 28.5% over the past two years could

result in insufficient levels of services available in critical areas and serious negative impacts on the local agricultural community in the future.

The Grand Jury concludes that the Ag Dept.'s ability to provide specific services is hindered when turnover occurs and the remaining staff members are unable to fill in, even on a temporary basis. Cross-training of staff to provide services in several program areas can lessen the disruptive effects of turnover.

The Grand Jury concludes that The Answer Book 2003 was published eight years ago and may contain information which is outdated, incomplete, or no longer valid. Growers may be relying on misinformation.

The Grand Jury concludes that the County may be foregoing a significant amount of revenue from recoverable costs by charging service fees which are out-of-date and do not cover the costs of providing the services.

The Grand Jury concludes that growers who have to obtain Diphacinone Grain bait from Fresno are inconvenienced.

Recommendations:

The Grand Jury recommends that the Ag Commissioner work closely with the Board of Supervisors to maintain a staffing level sufficient to provide services critical to the agricultural community.

The Grand Jury recommends that the Ag Commissioner develop a program to lessen the impact of staff vacancies or absences. Ag inspectors should receive on-the-job training to perform duties in one or more additional programs for which they have qualified through licensure. During periods in which there is less demand for services in their specialty program, they should be assigned to train in and provide support for the other program(s).

The Grand Jury recommends that, to improve staff retention, the department and the County should identify job-related values of employees, such as achievement recognition or promotional opportunities.

The Grand Jury recommends that the department revise and update The Answer Book 2003 regularly.

The Grand Jury recommends that the Ag Dept. promptly complete a review of the fees charged for services. The Board of Supervisors should approve a fee schedule which covers the actual cost of providing services.

The Grand Jury recommends that the local demand for Diphacinone Grain bait should be assessed. If warranted, a cost-effective means for making it available locally should be sought.

The Grand Jury recommends that the Ag Dept. staff be recognized and commended for their professionalism and proficiency in providing services across a broad range of programs that support the county's economy and affect the lives of its residents daily.

Respondents: Written response required pursuant to PC 933(c)

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