



OFFICE OF THE
AGRICULTURAL COMMISSIONER
SEALER OF WEIGHTS & MEASURES

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Agricultural Commissioner
Sealer of Weights & Measures

STEPS TO AVOID PENALTIES

By meeting the following five (6) conditions, an Agricultural Commissioner may issue a Notice of Violation (NOV) instead of a fine to the grower, and/or levy a fine against the employee:

1. Personal Protective Equipment (PPE) at the work site.
2. Provide a written disciplinary policy for failure to wear PPE.
3. Comply with applicable training requirements.
4. Supervise employees to assure that PPE was available and used.
5. Document that your employees are aware of the discipline that could be imposed for failure to wear PPE.
6. The Department of Pesticide Regulation Enforcement Response Regulation (CCR 6128) requires that a fine is levied if you have had a violation in the previous 2 years.

Wear protective Tyvek coveralls, wear chemical resistant gloves, wear eye protection (not open sunglasses), and other labeled protective gear requirements, (i.e. Manzate requires use of an apron over your coveralls when mixing and loading; make sure the Section 18 label is on site while applying Manzate on walnuts; Captan requires dust/mist respirator and apron for mix-loading; Goal requires an apron plus chemical resistant boots).

Prevent spray drift! Monitor your employee applications near busy roadways, rivers, and next to houses before leaving them on their own.

Have soap, sufficient water, single-use towels at the mix-load site, and extra coveralls on site in case of an accidental spill. Place pint of eyewash on the tractor.

Employers are responsible for their employee's wearing PPE. If there is a problem with employee compliance, growers may want to implement a disciplinary program and discuss the program with employees before implementation. Signatures of employee, employer, and date will signify implementation date. List date each violation occurred and validate with employee's initial. An example of a disciplinary program might be the following:

First violation	Oral warning
Second	Written warning letter in file
Third	Time off from work without pay
Fourth	Termination

By following the above, this allows the Hearing Officer some consideration in levying a fine against the employer, provided documented training was timely done and a disciplinary program is being utilized. If you have any questions regarding these procedures, please call:

SUTTER COUNTY AGRICULTURE DEPT. – (530) 822-7503

ALTERNATIVE INCENTIVE PROGRAM – For example, a grower may offer a \$50 bonus at the end of the year to those employees who have been inspected and no violations have been found.

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