

# Agriculture, Weights and Measures FY 2012-13 Performance Plan

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## **I. MISSION STATEMENT**

The mission of the Agriculture, Weights and Measures Department is to serve the public's interest by ensuring equity in the market place, promoting and protecting agriculture, protecting environmental quality and the health and welfare of Marin County's residents.

## **II. DEPARTMENT OVERVIEW**

The Department of Agricultural, Weights and Measures protects environmental quality and the health and welfare of residents by ensuring that pest control is performed safely and appropriately. The department also guards natural, agricultural and urban community resources from destructive and invasive pests and serves the public's interest by implementing weights and measures programs that protect consumers and ensure equity in the marketplace.

These functions are accomplished through education, commodity inspection and certification, promotion of sustainable food systems and enforcement of County, state, and federal mandated laws and regulations. The department works cooperatively with the public, agricultural industry and various county, state and federal agencies with similar mandates to facilitate program goals.

The department also provides sustainable agriculture programs and pest identification and pest control guidance for residents and is an informational resource for the agricultural industry, pest control operators and other government agencies.

The Agriculture, Weights and Measures Department includes the following program areas:

- Agriculture
- Weights and Measures

## **III. PROGRAM DESCRIPTION AND RESPONSIBILITIES**

### **AGRICULTURE**

Pest Management activities of the Agriculture department programs include Pest Exclusion, Pest Detection, Pest Eradication and Quarantine. These programs protect agricultural and environmental resources from the introduction and establishment of invasive and destructive weeds, insects, pests and disease. Recent examples of exclusion, detection, and quarantine programs include regulation of Sudden Oak Death, Light Brown Apple Moth (LBAM), and Glassy Winged Sharpshooter. Agriculture department programs also include Pesticide Use Enforcement which involves the permitting and registration of pest control businesses and ranchers, pesticide-application inspection by county agriculture staff, investigation of pesticide-related complaints and illness reports, as well as 100 percent pesticide-use reporting to the state.

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The standardization programs of the Agriculture department include regulation of Direct Marketing / Farmers Markets, regulation of nurseries and seed producers; enforcement of fruit, nut, vegetable, honey and egg quality standards; and gathering statistics for and the production of the County's Annual Livestock and Crop Report.

Sustainable agriculture programs include: Marin Organic Certified Agriculture (MOCA) which provides organic certification services; the Livestock Protection Program which assists Marin livestock producers with the implementation of non-lethal livestock-protection methods; and the Marin/Sonoma Weed Management Area Group which assists with the coordination of local noxious weed control activities.

The Agriculture staff is responsible for the following mandates and services:

- Pesticide Use Enforcement ensures pesticides are used safely, appropriately and in compliance with state and federal laws and regulations
- Pest Exclusion, Pest Detection and Pest Eradication programs prevent the introduction, spread and establishment of injurious and destructive pests such as Light Brown Apple Moth (LBAM) and the Glassy-winged Sharpshooter (GWSS)
- Sustainable Agriculture programs, such as Organic Certification and Grass-fed Livestock Certification, promote Marin's agricultural industry and encourage sustainable agricultural practices; Livestock Protection assists ranchers with non-lethal methods of livestock protection; Vineyard Erosion and Sediment Control program helps protect the lands, streams, and riparian habitat of Marin County; Safe Harbor agreements with United States Fish and Wildlife Service protect endangered species such as the Red-Legged Frog; and the carbon sequestration project is using innovative methods to build up carbon levels in our local soils which provides ecological and agricultural benefits to our community
- Fruit, Vegetable and Egg Quality Control protect consumers and industry from substandard quality, insufficiently labeled, deceptively packed and illegally marketed fruits, vegetables and eggs
- Nursery and Seed Inspection ensures agricultural commodities meet state standards and are free of pests
- Livestock and Crop Statistics programs gather statistics for annual livestock and agricultural crop report, which includes crop loss due to environmental disasters
- Direct Marketing program (farmers' markets and certified producers) regulates and certifies local growers so they may sell directly to consumers at farmers' markets and other direct market outlets

### **WEIGHTS AND MEASURES**

Weights and Measures ensures that all local weights and measures transactions are fair and equitable. The program provides both consumer protection and a transparent marketplace for local industry. Program responsibilities include inspection and testing of all commercial weighing and measuring devices to ensure device accuracy and fairness of transactions; inspection and complaint investigation of weighing and measuring devices, testing gasoline and petroleum product quality; verification of accuracy of commercial transactions when weighing or measuring bulk commodities; verification that the direct sale of commodities made over a scale and the sale of prepackaged commodities accurately reflect the quantity and price extension;

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and the inspection of point-of-sale systems to ensure consumers are charged the lowest advertised price.

The Weights and Measures staff is responsible for the following mandates and services:

- Weighing and Measuring Device Regulations program provides for inspection and testing of all commercial weighing and measuring devices within the county to ensure accuracy and fair transactions. Devices include scales; taxi meters; cordage, wire and fabric meters; retail water meters; gas pumps; propane meters; vehicle tank meters; and water, gas, and electric sub-meters. Electric meters are inspected and tested at the Department
- Quantity Control assures that the sale of commodities, over a scale or prepackaged, accurately represent quantity and price
- Scanner Inspection checks the accuracy of retail scanner-pricing and investigates consumer complaints
- Petroleum Inspection program ensures petroleum products meet minimum state standards and investigates complaints of gasoline quality and other petroleum products
- Weighmaster assures commercial transactions by individuals or firms, in the absence of a third party and issues certificates when weighing or measuring bulk commodities
- Enforcement of the Single-Use Carry-Out Bag ordinance seeks to encourage the use of reusable bags, protect the environment, and lead to a cleaner community
- Develop efficient methods of sharing equipment between Napa and Sonoma Counties under the Weights and Measures Joint Powers Authority (JPA)

## **IV. ACCOMPLISHMENTS FOR FY 2011-12**

- Provided outreach and education about our agricultural and weights and measures programs to over 60 organizations, institutions, industry groups, and individuals
- Enhanced consumer protection and helped level the playing field for businesses by updating and increasing fees for the Weighing and Measuring Device and Point-of-Sale Registration programs which target repeat offenders
- Increased County efficiencies by receiving Board approval for the Agricultural Commissioner (or his designated representative), on behalf of the County of Marin, to sign cooperative agreements between the State of California Department of Food and Agriculture, Department of Pesticide Regulation, and the County of Marin for Agricultural and Weights and Measures programs, excluding agreements for new programs, or new agreements that require budget adjustments
- Held a Marin Organic Certified Agriculture (MOCA) workshop on new 2012 Organic System Plans (OSP) to help certified operations comply with the National Organic Program requirements
- Passed its Marin Organic Certified Agriculture (MOCA) USDA National Organic Program audit with flying colors
- Worked with Information Services Technology (IST) to develop a new database system for weights and measures program

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- Expanded the number of businesses in the Weights and Measures Scanner/Point-of-Sale program to ensure greater consumer protection and a level playing field for industry
- Expanded the Marin Organic Certified Agriculture (MOCA) program allowing more Marin producers to be certified organic, including the expansion of several existing livestock, pasture, and crop operations
- Implemented the Single-Use Carry-Out Bag Ordinance in areas affected by the ordinance to ensure businesses are complying, and encourage other businesses not under the ordinance to voluntarily discontinue the use of single-use carry-out bags
- Implemented the Vineyard Erosion and Sediment Control Ordinance (VESCO) which will help safeguard the public health, safety, and welfare of Marin County’s residents by minimizing erosion and sedimentation in connection with vineyard planting and replanting, and assist in the protection of the lands, streams, and riparian habitat of Marin County
- Collaborated with the State Coastal Conservancy and the Friends of the Corte Madera Creek on the Spartina (cordgrass) eradication project, including successfully collaborating with the Virginia Department of Agriculture to obtain absentee owner information for a Marin County homeowner
- Partnered with the west county ranchers, Marin County Farm Advisor (UCCE), Marin County Agricultural Land Trust (MALT), Resource Conservation District (RCD), Marin County Parks and other partners on weed issues, including distaff, purple star thistle, and goat grass

## V. GOALS AND KEY INITIATIVES FOR FY 2012-13

### GOAL I

**Prevent the introduction and spread of exotic and invasive species**

<b>Countywide Goal</b>	IV. Environmental Preservation
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FY 2012-13 Key Initiatives
1. Work closely with the Marin County Farm Advisor (UCCE), Marin Agricultural Land Trust (MALT), Resource Conservation District (RCD), and the agricultural industry to address invasive weed issues in Marin County, particularly wooly distaff thistle
2. Provide outreach and education to the industry and community on exotic and invasive species
3. Enforce pesticide laws and regulations and issue permits for appropriate weed control materials
4. Identify plant pests and recommend Integrated Pest Management (IPM) approaches for long-term control such as the use of biological control

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**GOAL II**

**Ensure pesticides are used safely and appropriately**

<b>Countywide Goal</b>	II. Safe Communities
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<b>FY 2012-13 Key Initiatives</b>	
1.	Provide education and outreach to industry and the community on how to safely and effectively use pesticides.
2.	Provide pest identification and IPM assistance for the public and licensed pest control businesses
3.	Work with the agricultural and pest control industry to submit pesticide use reports electronically to better track their use
4.	Implement Enforcement Response Regulations when pesticide non-compliances are found

**GOAL III**

**Encourage sustainable agricultural practices**

<b>Countywide Goal</b>	III. Sustainable Communities
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<b>FY 2012-13 Key Initiatives</b>	
1.	Ensure Marin Organic Certified Agriculture (MOCA) operations are complying with new Organic System Plans to be compliant with the National Organic Program (NOP) requirements
2.	Provide education and outreach to industry and the community on the Marin Organic Certified Agriculture (MOCA) program and Vineyard Erosion and Sediment Control Ordinance (VESCO)
3.	Support Integrated Pest Management (IPM) and biological control methods for invasive pest control
4.	Collaborate on strategies to reduce greenhouse gas emissions

**GOAL IV**

**Maintain a fair and equitable marketplace**

<b>Countywide Goal</b>	VIII. Effective Communication
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<b>FY 2012-13 Key Initiatives</b>	
1.	Provide education and outreach to the community and industry about weights and measures programs, especially how the department protects consumers every day
2.	Collaborate with city mayors and city managers to identify and educate new businesses that may fall under one or more weights and measures programs, including educating city staff about other agricultural/weights and measures programs
3.	Enforce state and federal weights and measures laws and regulations

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**GOAL V**

**Provide increased efficiencies through office automation**

<b>Countywide Goal</b>	IX. Managing for Results
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<b>FY 2012-13 Key Initiatives</b>
1. Work with Information Services and Technology (IST) Department and the County Administrator's Office to implement web-based billing, acceptance of credit cards on-line and over the counter, on-line registration of weights and measures devices, and website development
2. Identify funding sources to purchase electronic notebooks, software, and associated hardware
3. Work with Information Services and Technology (IST) Department and the County Administrator's Office to add on additional program modules to our new database, including Marin Organic Certified Agriculture (MOCA), pesticide use enforcement, direct marketing, pest exclusion, and a long-term solution to our daily program
4. Have staff become proficient with the new state-wide pesticide use/permit program CalAgPermits
5. Change to the new on-line federal phytosanitary certification issuance program

**VI. KEY CHALLENGES AND OUTSTANDING ISSUES**

- Providing outstanding environmental and consumer protection through fair and professional enforcement of laws and regulations
- Ensuring the department meets state and federal mandates, while maximizing these limited revenue sources
- Maintaining quality public service during very challenging budget times
- Ensuring staff takes advantage of professional development opportunities and is involved in succession planning while effectively meeting department goals and objectives with reduced resources

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## VII. PERFORMANCE MEASURES

### AGRICULTURE

<b>Department Goal</b>	Goals III: Encourage sustainable agricultural practices
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**Objective: Increase the number of agricultural growers participating in Marin Organic Certified Agriculture (MOCA) program**

MEASURES	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Actuals	FY 2011-12 Target	FY 2012-13 Target
<b>Workload Measures</b>					
➔ Number of growers in the Marin Organic Certified Agriculture (MOCA) program	58	62	66	70	72
➔ Number of organically farmed acres	17,683	19,706	23,570	28,500	29,000

➔ Indicates a Key Measure

**Story Behind Performance:** Sustainable agricultural practices in Marin County are strongly supported and encouraged. In 2002, the Marin County Agricultural Commissioner's office was one of the first counties in California to offer an organic certification program to qualified agricultural producers and handlers at an affordable cost. This is consistent with the countywide goal of Sustainable Communities, Environmental Stewardship and Preservation. Since 2004 Marin County has seen over a 62% increase in the number of operations organically certified; steady growth in certified organic livestock production and certified pasture acreage; and an increased number of certified fruit and vegetable growers.

Organic certification and the implementation of sustainable agricultural practices encourages resource preservation, ensures continued productivity of agricultural lands, provides added value to local agricultural products, helps local producers remain financially viable, and provides our community with an abundance of locally grown healthy products.

### WEIGHTS AND MEASURES

<b>Department Goal</b>	Goal IV: Maintain a fair and equitable marketplace
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**Objective: Improve industry compliance with the scanner program (point of sale systems) to ensure the public is properly protected and are paying the lowest displayed price for items**

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MEASURES	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Actuals	FY 2011-12 Target	FY 2012-13 Target
<b>Effectiveness Measures</b>					
➔ Percent of businesses complying with scanner regulations	70%	63%	65%	68%	68%

➔ Indicates a Key Measure

**Story Behind Performance:** For well over a century, weights and measures departments throughout the United States have been responsible and committed to consumer protection. “Trust, but verify” is a worthy motto that every consumer should follow. Most businesses are honest with good intentions, but even honest people make mistakes. Alert consumers are the best defense against inaccurate transactions. The department recommends consumers bring sale advertisements with them when shopping. When selecting items from store displays, make a note of the price and verify that it is the same when the item is scanned during check out. The correct price is the lowest price advertised or posted price. If stores have scanners for customer price verification located on the salesfloor, use them. Department stores often give additional markdowns at the register, so be sure to point out sale items to the clerk. Be aware of the expiration dates for sales. When purchasing items where a checkstand scale is used, verify it is set to zero. The readout must be visible to the customer, and if it isn't, point it out to the checker. A scale set ahead of zero shortchanges every customer.

Having a strong presence in the business community is especially critical during this economic downturn to help ensure equity in the market place and ensure the public is protected. As the scanner (point of sale) program is expanded to include more businesses, we expect the compliance rate to remain fairly stable. Over time, as the department does more scanner inspections and businesses correct any system deficiencies, we project the compliance rate will begin to climb.

Weights and Measures is committed to protecting the economic health of the community by preserving and maintaining confidence in the accuracy of weighing and measuring instruments, product standards, and business practices used in commerce. Through this balanced commitment and timely response to citizen requests, consumers and businesses are assured the means of accurate value comparison and fair competition.

<b>Department Goal</b>	Goals III: Encourage sustainable agricultural practices
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**Objective: Inform the community about the valuable services the department provides through public communication, education, and outreach**

MEASURES	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Actuals	FY 2011-12 Target	FY 2012-13 Target
<b>Workload Measures</b>					



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MEASURES	FY 2008-09 Actual	FY 2009-10 Actual	FY 2010-11 Actuals	FY 2011-12 Target	FY 2012-13 Target
➔ Number of community outreach, education events, and meetings with local agencies	n/a	3	8	15	15

➔ Indicates a Key Measure

**Story Behind Performance:** Overall, the government has done an inadequate job of getting the message out to the community about the various services it provides. The department believes a strong community education and outreach program will help the public better understand where and how their tax dollars are spent. A proactive approach will help garner public support for our programs. Without public awareness, these vital services cannot be fully appreciated and supported. By educating the community about our programs through multiple channels, a greater understanding of the departments responsibilities will result. The department intends to work collaboratively with a variety of organizations and agencies to tell our "story", including each city mayor/manager and Chamber of Commerce, Rotary Clubs, Downtown Novato Business Association, Golden Gate Better Business Bureau, and the Marin Professional Women's Network. Additionally, the department plans to upgrade its website to clearly showcase its programs and services, and provide easy access to information and events that may be of interest to the community.

The public should be aware of what services their tax dollars support in the community. It is the responsibility of public officials to ensure the community understands and appreciates the critical work the government performs. The department protects consumers every day through weights and measures programs, ensures pesticides are safely used, detects/prevents exotic and invasive pests from becoming established in the county, ensures organic growers are truly organic, and much more.