

**Stanislaus County Agricultural Commissioner &
Sealer of Weights and Measures
Grand Jury Case No. 04-24B
2003-2004**

REASON FOR INVESTIGATION

Penal Code 928

Every grand jury may investigate and report upon the needs of all county officers in the county, including the abolition or creation of offices and the equipment for, or the method or system of performing the duties of, the several offices. Such investigation and report shall be conducted selectively each year.

BACKGROUND

Stanislaus County has an agricultural based economy with over one billion dollars in annual income. The services this department performs are essential to the entire County's well-being.

The office of the Agricultural Commissioner & Sealer of Weights and Measures has a myriad of duties and responsibilities and is held accountable by several different regulatory agencies.

PROCEDURES FOLLOWED

1. Interviewed staff from the Agricultural Commissioner & Sealer of Weights and Measures.
2. Physically inspected their facility.
3. Reviewed informational pamphlet.
4. Reviewed the Stanislaus County 2002 Agricultural Crop Report.

FINDINGS

As Agricultural Commissioner, the Department provides Environmental Protection, Consumer Protection, and Special Services. These services include:

1. Environmental Protection
 - a. Pest Exclusion—Preventing harmful insects, weeds, plant diseases and other pests from entering the County. They also certify the export of agricultural products to meet the import requirements of importing countries.
 - b. Pest Detection—Continually survey for any harmful infestations. Recently, these have included the Glassy-Winged Sharpshooter (a \$424,000 program) and Exotic New Castle (a \$647,000 project).
 - c. Pest Management—Educate the public in identification of pests thereby reducing their population and spread.

- d. Pest Eradication—Eliminate infestations of new pests such as the Red Imported Fire Ant.
- e. Pesticide Use Enforcement—Oversees the application and storage of pesticides.

2. Consumer Protection

- a. Fruit & Vegetable Quality Control—Ensures the quality, labeling and packaging standards for fruits and vegetables.
- b. Egg Enforcement—Ensures the quality and labeling standards are met pertaining to eggs.
- c. Nursery Regulation—Assures consumers the nursery stock is properly labeled, reasonably free of common pests and in viable condition. Recently, efforts have addressed the effects of Sudden Oak Death.
- d. Seed Regulation and Seed Services—Cooperates with the California Crop Improvement Association as to the certification of seed. Assures compliance with laws and regulations as to identify, purity and viability of agricultural and vegetable seed.

3. Special Services

- a. Apiary Services—Certifies colony strength.
- b. Crop Statistics—Compiles and produces the County's annual agricultural statistics.

As the Sealer of Weights and Measures, the Department provides consumer protection in the form of:

- 1. Device Inspection—Inspects and certifies approximately 9,000 devices throughout the County such as gas dispensers, taxi meters, water and electric meters, and scales utilized in delis and for livestock and vehicles.
- 2. Quantity Control—Verifies stated quantities in packaged goods and checks pricing accuracy of scanners.
- 3. Petroleum—Checks gas station price advertising, checks the quality and labeling of petroleum products and ensure compliance with national standards by random sampling.
- 4. Weighmaster—Certifies the weighed, measured or counted quantity of a commodity.
- 5. Metrology Lab—Tests and calibrates 1,200 wheel load weighers for the California Highway Patrol and is currently reaching out to adjoining states to provide this service.

All of these duties are performed with a staff of 27 individuals under the auspices of the California Department of Food and Agriculture, the Business and Professions Code, and the Department of Pesticide Regulations under the Environment Protection Agency, with both criminal and civil regulatory authority.

CONCLUSIONS

The Department performs a large number of services that are unknown to the public.

RECOMMENDATIONS

None.