

REEL 21

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Interview with Inspector

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Inspector

I've worked for the agriculture weights and measures as a pesticide use enforcement inspector for about 12 years now, I started back in 1988 and pretty much been in pesticides the whole time. I would say that our primary roll as the pesticide regulatory program is safety. Pesticide safety. Not only does safety for the people actually handling the pesticide, but also the growers and their employees that would reenter the fields after the pesticides have been sprayed, also the consumers that are possibly handling and buying the product as their own user, any residue or pesticide safety that might be needed there. So we enforce the label, we make sure that they're using the pesticides as they're supposed to be used according to label, according to regulations, make sure that the people that are handling the pesticides are properly trained, they realize that they're handling poisons and they need to be safe with them and that they need to wear protective equipment to protect themselves and educate growers that they have a responsibility to the public and to their employees to provide this safety.

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The industry has changed a lot. I started in Encinitas, I've had other areas, we rotate every two years, and I had Encinitas about 5 years ago, when I moved into the area, it was known as the flower capital of the world and wherever you went there were greenhouses and flower fields. Up where we call Ecke Mesa, there were fields and fields of flowers, over the last, really just the last two to three years we've been slowly seeing the greenhouses disappear, the fields disappear. Development, houses, Ecke Mesa is now a golf course and they're surrounding it with homes. I'd say probably about

REEL 21

80% of the agriculture left probably in the last three years. Probably at the most, it's very fragmented now, little tiny growers, you don't see the vast, huge acreage that you did when I first started in this area about 5 years ago. There are small little acres here one greenhouse there, very fragmented, most of them have moved inland in to the San Marcos Vista area. Some Valley center but they're discovering that it's a little hotter than they're used to I mean the coast really provided the ideal growing conditions for the flowers they were growing.

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I feel a little different changing attitude, a lot of the people at the time there were a lot of flowers and they seem to enjoy the flowers, they enjoyed having the fields and everything here. A lot of the houses built are very heightened houses and we start getting more complaints on the looks of the greenhouses, how they might be degrading the area and we really didn't have those types of concerns before, so it definitely a change of attitude.

We get occasional complaints, a lot of times they deal with houses being built right next to greenhouses, and then we get the complaints, particularly the pesticide related complaints, smells, odors that kind of thing but they also complain to us about fan noise, lights that are on all night, there's a lot of activity that go on in greenhouses that is not conducive to having a house right next door to it. I responded to one house where the house is literally eight feet from the greenhouse wall. And this lady's balcony could almost touch the greenhouse from the balcony, and so when they have houses that close to greenhouses you're gonna have problems with noise and just its like having a business right next to a residential area so we get a lot of complaints in that area.

We do a lot of field work, we respond to complaints. People have concerns about pesticide drip, pesticide smells, possible improper use of pesticides, people not wearing protective equipment they feel they need to be wearing. We'll get a call and we'll go out and respond and do an investigation, interview and the whole gamut of investigation. We also drive around and look for people applying pesticides and make sure that they're using all the equipment and the proper pesticides for the crop. We also do what we call records inspections, we go in, and those are usually scheduled inspections that involve paper work so we have to make sure the people that are in charge of paperwork are there and have all the proper paperwork for

REEL 21

documenting training for their employees. They do have to track and keep records of all their pesticide use, so we're looking for all of those records. We also do field work inspections, if we see people picking flowers or doing work in fields, we'll go out there and interview the employees and make sure that they're aware if pesticides have been used and to follow safety procedures like washing hands before they eat and that kind of thing. So we do quite a few different assessments.

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A lot of times, especially in Encinitas, their greenhouse type situation, normally you would pull up and greenhouses always have to be posted with a warning sign for people not to enter the greenhouse when pesticides are being applied so all you do is drive around it and look for that particular signs, or look for a hose or a sprayer outside, sometimes you can just hear a noise of a power sprayer so you'll know that there's possibly an application taking place. So I'll usually pull up to a greenhouse, peek in the door, and if I see a pesticide application, I'll make notes to myself about what the person was wearing, if there was any possible problems that I notice right off, usually if I can get there eye, I kind of wave at them and have them come over and talk to me, shut off their equipment and talk to them and find out what their name is and what they're applying and make sure they've got all the equipment on and everything. So that primarily what we do for an application inspection.

We consider the workers into two groups, we have the people that are employees of the growers that have to do the application of the pesticides they're actually there spraying, holding the hose, spraying pesticides on the plants. Those people are required to wear quite a bit of protective equipment. They have to wear eye protection at all times, they have to wear some kind of a clothing to protect their body, normally they do wear some type of boots or something, there pretty protected as far as any kind of exposure. The problems arise a lot of the times because these are poisons, they are manufactured to kill insects, or diseases on plants and so they do have a certain toxicity level, some are more toxic than others. And so its really important that the clients understand that they are toxic if not used properly and they're not wearing protective clothing, and they spray some on their skin or they get some in their eyes, they need to take care of it, they need to wash their eyes out, they need to wash their skin. But if they're using all the protective equipment and they are applying the

REEL 21

pesticides correctly there really shouldn't be any problems with poisoning. Then we have the field workers that go in and actually work with the plants after they've been sprayed and those people are required to stay out of the field for a certain amount of time. It's indicated on the label, it could be 12 hours, it could be 24. Until the spray is dried and with all the testing the EPA has done, they've found that the residues that are left are not enough to cause problems normally in people unless they are sensitive as far as skin or something like that. So they need to be aware that if they do get a skin rash or they are sensitive to a certain type of chemical, they need to let their employer know so that they can get medical attention if necessary. They need to know they need to wash up before they eat, if there are any possible residues on the plant that they might be getting on your skin. But the chemicals nowadays, when I started 12 years ago, a lot of the chemicals were a lot more toxic, they were what we call category one, which is danger labeled pesticides and they have a very high toxicity and then warning pesticides are in the middle, they are a medium moderate toxicity, and then you have caution chemicals which have low toxicity and out in the field right now over 90% I would say are caution pesticides and so the trend in the industry has really been to go to specific chemicals, use for specific plants with specific diseases as opposed to lets just go in with something really toxic and kill everything off. Its lets go with this one chemical and it will only work on a certain type of disease or a certain type of pest.

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State law regulates it that if its an employee, that they always need to wear eye protection and rubber gloves, no matter what they're using. If it's a pesticide they really need to wear that. As far as an owner or someone other than an employee, they're just required to follow the federal label, which is federal law, and that may or may not require that type of equipment. In fact I believe that the latest roundup which is a caution material, doesn't even require eye protection. But the state of California has put additional regulations on employees to require eye protection just in case something happens, like a hose would break or something. but normal applications that are done with a back pack sprayer to the ground would have a pretty low chance of causing problems.

If they are known to be a respiratory, if there known as a chemical to have some kind of respiratory problems, they will have that on the label.

REEL 21

(Bad Audio)

to be required to use a respirator. If during all the testing the EPA does on all the chemicals they found that its not an issue the way its used on the label, then it won't require respiratory protection. It kind of depends on the equipment, how much is being used, and how much actual chemical is being used in the tank as opposed to water so the final dilution has a lot to do with how toxic it is when you breath it in. Greenhouses do have additional regulations, just because of their enclosed nature, you could have problems so if it does require a respirator on the label, the greenhouse has to be completely vacated so nobody can be in there while the pesticide application is taking place.

They do have a certain reentry interval, so during that time after its been sprayed the workers are not allowed to go in there after a certain period of time usually 12 to 24 hours to pick the product. So at that point after its met the criteria for workers going in and handling the flowers, it's going to be safe for the consumers ultimately to handle it after that point.

There's concern that greenhouses that they do allow runoff. That it can eventually get into the ocean and cause some problems. That's a lot of the work we've been doing lately as far as regulating how much pesticide is allowed in the water that's coming off the greenhouses. Almost all the greenhouses now have some sort of capture system, that captures the water and keeps it on the property, doesn't allow it to go off the property and possibly get into the storm drains and that kind of things. A lot of the ones inland the new ones are all being set up with complete recapture systems to recapture all the used water, reuse it, re-filter it. so that has been a concern in the past. We really don't get that many complaints about runoff they've been pretty conscientious as far as our office has noticed. We really don't receive that many complaints on those types of issues.

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A lot of the research that they do, all the chemicals are required to come with a material safety data sheet they refer to it as MSDS and those talk about the different test the EPA has done regarding the chemicals, it addresses any possible problems with long term exposure, short term exposure and again if they're using the proper equipment, they're gonna keep the exposure down and possibly to almost nil so your not going to get

REEL 21

those long term problems. The only time you would get long term problems is if they're constantly being exposed, and if they're using the proper equipment, they're not getting exposed. So a lot of the tests that they do on animals or whatever to come up with these data to talk about chemicals actually being exposed to these animals on an ongoing basis and that type of exposure hopefully with our regulations is being prevented.

Our relationship with the workers tend to come varied. They tend to get very nervous, and I think that it more is just like a person being pulled over by a police officer, even if you haven't done anything wrong, you still get nervous, you're wondering why they're pulling you over. And I think we tend to have that kind of relationship with the workers when they see us. They think oh no, what am I doing wrong? are they going to find something, is my boss going to get mad at me? So they do tend to get very nervous so I think it's very critical when we do our inspection to remain very calm, make sure that they know that we're there to make sure that they're safe and that we're not there to bust them or get them in trouble. If they are doing something wrong, we need to point that out to them, we need to explain why its important that they are using the protective equipment or any issues that they're having problems with, that they can talk to us, if their employer is not doing something they should be, like providing them with the proper equipment or something, they can tell us that so we can talk to the employer to make sure they're getting all the proper equipment so they can be safe. And then there are other workers that you've worked with for a while or are very confident in what they're doing and they are happy to see you. they want to show off, they want to show you that they can do it right and that they have a good training program and they're doing what they're supposed to be doing and so I think it depends on the actual workers themselves.

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I personally don't speak Spanish, but we do have quite a few inspectors that speak Spanish. They roam throughout the county, even though I have an area, they come into my area and do a lot of interviews and things that maybe that they would be able to communicate better with the workers, so even though I might not be able to communicate directly to the workers that speak Spanish, normally the supervisors or a lot of the crew will speak enough English that we can communicate but like I said I think probably half our division now speaks Spanish and so if I see some problems with a

REEL 21

grower or I'm having problems communicating with the other workers then I would just talk to the other inspectors and they would just go out with me or maybe do a spot inspection on their own or talk to the workers directly and make sure that they're being safe and being educated and they understand their rights and that kind of thing?

Most of the training programs are given in Spanish, we provide materials they can use to do the training and that is all available in Spanish and they can either hire out a company to come in and do the training for them or if they do get certified to do training they can do it in house and it's documented normally in Spanish and most of the training is done in Spanish.

As far as inspection? Nothing pops out. When I first started 12 years ago, the compliance level was a lot less than it is now and I think it's been a combination of education and binding and regulatory action by not only us but I think a lot of the media that has brought up pesticide use, it's really a hot topic than it was 12 years ago and so the compliance level that I see out there now is completely different I mean rarely do you go out into a greenhouse to watch the spray and not see them wearing protective equipment, occasionally you'll go out there and it might be a little hot or something and the guys might have the goggles on their head, which is not a good thing and they see you drive up and hurriedly put the goggles on or something like that. But in general the compliance we have now is really good and the guys might not be wearing gloves or might have the goggles hanging on their cuff, they know that they're supposed to be wearing them and most of them know that they're gonna be in trouble for not wearing them. So it's just a different attitude then it was when I first started, it was more, oh you're bothering us and why do we have to wear this, it's too hot, now it's I know I'm supposed to wear it and I should be wearing it and uncomfortable or I forgot to put it on or I left it at the office, but I haven't come across anybody that's been really out of compliance that sticks out in my mind for a long time. Little things, the training might be conducted on little tailgate meetings and aren't documented like they should. There are those type of violations that we see now, not nearly as horrendous as we did years and years ago where you'd see a whole group of guys out in the field spraying category 1 pesticide with no protective equipment, in sandals, it was, those were, I haven't seen that type of violation in ten years.

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REEL 21

If we find violations out in the field, of course if it's a safety issue we stop the application right away. We see if it can be fixed out in the field, do they have the gloves there, they're just not wearing it, do they have the glasses there, they're just not wearing them, and if it's that case, we would make sure that they put that on before they continue the application and then it would just be a matter of making sure that we kind of keep an eye on them and do another spot inspection and make sure that that's not an ongoing problem, so that would be just like a follow up type inspection if it's not a real bad violation. If it meets the criteria that it's an ongoing problem or it's a real safety issue, then we can do anything from just warning letters which is a letter saying you've done this and it's not acceptable and you need to stop it to all the way to civil action and to possibly a large fine.

The fines range, I don't really know our highest one, they would range from like \$50 fine for like a peg board violation up to maybe \$3000 I think is probably one of our higher ones.

I don't think being a woman inspector has affected any way that I've worked with anybody. I ran across it in college, there wasn't a lot of people in agriculture in college that were women either, so I think if you go into the industry not making it a problem, it's never been an issue for me. A lot of people that work in the office are women, a lot of the people that take care of the paperwork and do the training are women, so even though the actual top boss is a man, a lot of people below him are tend to be women so it really hasn't been an issue as far as working here.

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I don't think so, I've noticed that the people doing the pesticide spraying tend to be their better workers. People that they can really depend on to follow directions, to wear all their equipment and they tend to be more of the leaders, they tend to pay them a little more, prestigious type, I'm not saying all companies do this, but in general. And they tell us, you know the owner tells them that we're out there and if we show up and do an inspection to cooperate and if we find any problems, they might be in trouble, and so I think they're apprehensive about seeing us for that reason but I've never run into any problems being a woman.

REEL 21

I think a lot of them pay them more because a lot of them don't like to do the work quite frankly because especially in the greenhouse because it gets hot, and it can get hot, it's hard work, the equipment can be heavy, you're wearing a lot of protective equipment that can be hot and uncomfortable, and you want to make sure that the guys that are doing it understand that they do have to wear all this stuff even if it might get uncomfortable. I don't think it's as much of a risk as it is just making sure that you've got the more intelligent people, the more responsible people, that will wear all the equipment and know what they're doing and realize it's important.

That's more of a gender thing. I just don't think the women want to do that type of work. If you notice most of the manual type labors, the guys out there planting, the heavy manual labor are traditionally done by men. And I think it's more of a labor issuer rather than a sex issue. I actually did pesticide applications for a pest control company, I was one of the very few women sprayers and it was more so, it wasn't because I was a women that they weren't hiring or something, they were happy to have me spray, but I think women in general just don't enjoy doing that type of manual work.

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I'd rather not get into specifics on companies. It's being phased out because it's shown to be an ozone depleter, so methobromide is usually used in combination with ?, a tear gas. It's still being used, especially for strawberries and crops like that. To kill diseases in the soil and to kill weed seeds, and to make the crop have a better growing advantage when you use methobromide because you're not competing with the weeds and diseases. And it's still used in some of the greenhouses for that reason but it is being phased out, it's down to 50% production this year and so a lot of the growers are trying different alternatives to methobromide because they realize that they're losing it. A lot of them have gone to steam sterilization or other chemicals that are worked in the ground and may or may not be chemical plastic. So its kind of a scramble right now to find something that's good enough to replace it because it's a very valuable chemical as far as well as it works, there is nothing out there that they've found yet that kills the diseases and kills the weed seeds as well as methobromide and dissipate as quickly as methobromide so you can go in and plants the plants right away and not have any problems with toxicity.

REEL 21

Integrated pest management has gotten very popular. I studied it back when I was in college and it was being used more so in the field as opposed to greenhouses. And I've noticed in the past 3 years or so more and more growers using beneficial insects, using different types of wasps to control mites or those types of situations. It's back to using those more specific chemicals, you're not just going in and wiping everything out with a very toxic chemical, you're using a chemical that's specific for whatever problem you're spraying for and some of them the problem a lot of them notice too is if you do use a specific chemical for a specific pest, then it's killing that particular pest but you might have a few acres of some type of insect that you didn't know you had there that now can be a problem so it's a learning experience and a lot of them do it on a small basis because again you're talking to their livelihood, it can be very scary to try something different and to try something that you weren't familiar with, you're not sure how well it's going to work and then you could possibly lose the whole crop if you let it go too long and it's not working. So I see a lot of them using different things on a limited basis but they have to do a lot more monitoring to make sure it's working and if they do need to go in with a traditional pesticide that it's available and they can go in there before it's too late. Because once you have the holes in the buds, people aren't gonna buy flowers that are eaten by an insect so they really have to make sure their product is still marketable.

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We get complaints from growers, I think it's natural that people complain about any time they're being regulated. I actually heard them venting about other problems more than our problems that we tend to give them. Water issues, they've got so many different issues going on, that our issues a lot of times aren't the main ones that they're upset with. They know they need to protect their employees, not only because they don't want to get in trouble with us but also because they don't want their employees getting sick or having any sort of liability issues with their employees. It's not we're kind of a necessary evil in their eyes but they understand why we're there, they understand why we're regulating the pesticides and why we're requiring them to protect their employees. They may or may not agree with the ways we require them to document their training or paperwork type issues but I think they understand the whole program and the reason for it and they really need to do this kind of stuff. Because most of its safety issues and people can relate to keeping people safe.

REEL 21

Well, if Encinitas continues on the trend that I have seen, I really don't see agriculture staying in Encinitas. I'm sure there's always gonna be a few little holdouts that maybe more of a zoning issue if they have large yards or that type of thing, you're always gonna have your little sunflower grower or your little greenhouse in the back yard. But I know a lot of the property that is left has sold or is in the process of selling. I don't think the growers can afford to stay here, the property values in Encinitas have gone up so much that it's better to sell to development as far as money wise than it is to grow flowers. You can get a heck of a lot more land in San Marcos or Vista than you can here. Unfortunately what tends to be the ultimate growing area for a plant, tends to be the most favored by a person so I think that's where the problem is. People want to live here. I think you have covered every question that I could possibly answer.