

**Agricultural Issues - Cannabis Cultivation
and
New Proposed Regulations Regarding
Pesticide Use Near Schools**

December 19, 2016

Agricultural Issues - Cannabis Cultivation

- Prop. 64 Legalizes marijuana under state law, for use by adults 21 or older (Recreational Use)
- Imposes state excise tax of 15% on retail sales of marijuana, and state cultivation taxes on marijuana of \$9.25 per ounce of flowers and \$2.75 per ounce of leaves
- Allows local regulation and taxation of Marijuana (MMJ exempted from sales tax)

Agricultural Issues - Cannabis Cultivation

- State to set standards (Under development):
 - Labeling, testing, and product packaging
 - Develop a system to track from production to sale.
- Growing Nonmedical Marijuana (Unless Prohibited)
 - Up to six plants in 2017
 - Production ag allowed in 2018

Agricultural Issues - Cannabis Cultivation

- Department of Food and Agriculture
 - License and regulate growers
 - Track from production to sale
 - Weights & Measures (IRQ, Devices)
- Department of Pesticide Regulation
 - Regulate pesticide use for growing marijuana
 - 10 License Types (up to 1 acre)
 - USEPA has not established pesticide tolerances

Agricultural Issues - Cannabis Cultivation

- County Agricultural Commissioner
 - County and City Jurisdiction
 - Pesticide Use Enforcement – regulate use, worker safety
 - Pest Exclusion – inspect any plant liable to be infested
 - Pest Detection - prevention introduction and spread of pests
 - Nursery Program – inspect for pest cleanliness standards

Agricultural Issues - Cannabis Cultivation

- County Agricultural Commissioner Cont.
 - Seed Inspection – inspect for the presence of disease, certify packaging, labeling
 - Organic Products – perform on-site inspections of production grounds and crops
 - Crop Statistics – report crop statistics to CDFA Secretary
 - Commercial Weighing Devices - test and seal annually
 - Prepackaged Commodities - check the quantity or amount represented

Pesticide Use Near Schools

- Certain pesticide applications near these schoolsites will be prohibited at certain times.
- Require growers to notify public K-12 schools, child day care facilities, and county when certain pesticide applications made for the production of an agricultural commodity near a schoolsite are planned in the coming year and also a few days prior to the applications.

Pesticide Use Near Schools

- Production agriculture
- Public K-12 schools and Child Care facilities
- 1/4 mile buffer and a 25 foot buffer
- Restricted Materials and non-restricted materials (pesticides)
- Monday –Friday 6am – 6pm

Pesticide Use Near Schools

- Annual Notification from grower to schools
- 48 hr. Notice Prior to application to schools & ag commissioner
- All pesticides and application types have some restriction or notification requirement
- Allows agreement for waiving 48 hr. notification
- Schools not required to do anything with information received

Questions??
