



COUNTY OF LAKE

Department of Agriculture
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STEVEN HAJIK
Agricultural Commissioner
Sealer of Weights & Measures

TO: Honorable Richard C. Martin, Judge of the Superior Court
FROM: Steven Hajik, Lake County Agricultural Commissioner
SUBJECT: Response to 2010-2011 Grand Jury Final Report
DATE: August 11, 2011

R1. The Department of Agriculture design and implement a website available through the County of Lake portal. (F1)

This is in progress and should be completed by the end of August. We are in the final acceptance of the page and then it will be posted on the county site.

R2. The Department purchases a laptop(s) for those who conduct field testing and install the applicable references on it. (F2)

The Department purchased a laptop and it has been in service for several months.

R3. The Board of Supervisors establishes the authority for the Sealer to conduct random bar code pricing verification tests or contact the appropriate state department to establish this authority. (F3)

There seems to be some confusion about this program. There is and has been a program for price verification testing using state protocols for many years, but there have been a few times that not all the stores were tested every year due to lack of personnel. For the most part, every store with a scanning register has been tested once a year and following any complaint.

The Department checks a new store's registers soon after opening, then on a yearly schedule. The procedure is that an inspector will take a given number of randomly selected products and have them run through a cash register. The prices are compared to the lowest advertised price for that item. Depending on the severity of discrepancies, or the number of discrepancies, the store is given a notice of violation and rechecked at a later date. The Department also checks weights on packaged meats, deli products, and bakery items. This procedure checks the weight of the product and the tare weight is taken.

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R4. The Department of Agriculture add medical marijuana clinics to the list of mandatory onsite testing of retail sales weighing devices to enhance consumer protection. (F4)

The Department is reluctant to test retail scales at medical marijuana dispensaries because, although the State of California allows the medical use of this product, the Federal Government considers it an illegal substance. Therefore, in my opinion, direction from County Counsel would be required before the Department would perform onsite testing.

R5. The Department of Agriculture apply pesticide permit and use standards to medical marijuana growers. (F5)

Since there are no pesticide labels that include marijuana as a treatable commodity, it would be illegal to issue a pesticide permit knowing that the pesticide listed would be used on marijuana. This also applies to pesticide use standards. Because of the reasons stated above, the use of EPA approved pesticides on marijuana is currently illegal in the United States. Furthermore, there are no accredited laboratories in California that can test marijuana for illegal pesticide residues. The presence of any pesticide residues at any level is illegal.