

**Draft Policy Title:**  
**OCMVCD: Mosquito and Vector Control to Certified Organic Crops**

The primary purpose of the Orange County Mosquito and Vector Control District's (OCMVCD) vector control operations is to promote public health by preventing and controlling the spread of vector-borne disease within Orange County. The District has been authorized by the California Health and Safety Code to exercise discretion in determining the manner in which vector control measures are undertaken in order to accomplish these purposes.

Notwithstanding this primary mission, the OCMVCD will also strive to comply with this *Mosquito and Vector Control to Certified Organic Crops (Policy)* regarding the use of OMRI (Organic Materials Review Institute) certified pesticides for agricultural lands certified as organic in accordance with the Policy.

For the purpose of this Policy, the following definitions and terms will apply:

*Act:* The Organic Foods Production Act of 1990, as amended (7 U.S.C. § 6501 et seq.).

*Certified Organic Producer.* A crop or livestock production, wild-crop harvesting or handling operation, or portion of such operation that is certified by an accredited certifying agent as utilizing a system of organic production or handling as described by the Act and the regulations in the Code of Federal Regulations, Title 7, Part 205.

*NOP.* National Organic Program, as described in the Code of Federal Regulations, Title 7 (7 CFR), Part 205. The NOP is under the purview of the U.S. Department of Agriculture (USDA). In California, NOP enforcement is the responsibility of the California Department of Food and Agriculture and the county agricultural commissioners' offices.

*OMRI.* Organic Materials Review Institute is a national nonprofit organization that determines which input products are allowed for use in organic production and processing. OMRI-listed—or approved—products may be used on operations that are certified organic under the USDA National Organic Program.

*Organic.* Refers to an agricultural product produced in accordance with the Organic Foods Production Act of 1990, as amended, and the regulations in the Code of Federal Regulations, Title 7, Part 205.

*Organic Producer.* A producer who is either a Certified Organic Producer or a Transitional Organic Producer.

*Significant Vector Source.* A vector source identified by the OCMVCD, that if left untreated, would be considered a public nuisance as defined in the California Health and Safety Code (HSC) §2002(j).

*Transitional Organic Producer.* A producer who is in the three (3)-year transitional period from conventional production to organic production.

*Vector Management Plan.* A course of actions developed to reduce vector production or harborage for a specified area as pursuant to vector reduction guidelines as referenced in the OCMVCD's Vector Reduction Manual.

The Orange County Mosquito and Vector Control District (OCMVCD) recognizes that Certified organic agricultural operations, in order to obtain and maintain their status as a certified organic producer under the NOP, must comply with the following land requirements: have been managed in accordance with the provisions of 7 CFR sections 205.203 through 205.206; have had no prohibited substances, as listed in 7 CFR section 205.105, applied to it for a period of 3 years immediately preceding harvest of the crop; and have distinct, defined boundaries and buffer zones (such as runoff diversions) to prevent the unintended application of a prohibited substance to the crop or contact with a prohibited substance applied to adjoining land that is not under organic management. Additionally, the OCMVCD recognizes that economic loss may result in the event that a Certified Organic Producer is unable to uphold the requirements of the provisions set by the NOP, which may result from intentional or unintentional applications of pesticides to areas in close proximity to or within the property of the Organic Producer. In an effort to minimize the potential impacts to Certified Organic Producer operations, the OCMVCD has established this Policy with a primary goal of avoiding the use of pesticides on such lands that would jeopardize organic certification resulting in economic loss.

Annually, the OCMVCD will endeavor to send, via certified mail, a notification letter to Certified Organic Producers on record notifying them of potential applications of public health pesticides targeting adult mosquitoes infected with West Nile virus, or other mosquito-borne diseases, if specific health threats and conditions are met during mosquito control season. The letter will request the address or location and boundary information for all certified organic field(s) within and immediately adjacent to Orange County. Delivery of pesticide applications by equipment other than aircraft is possible and may include the use of backpacks, helicopters, or truck mounted sprayers. Furthermore, the notification letter will indicate that if vectors are present on certified organic land and if the certified organic land is declared a Significant Vector Source, OCMVCD staff will work collaboratively with farm managers and property owners to establish a Vector Management Plan as outlined in the OCMVCD Vector Reduction Manual. A Vector Management Plan is a signed agreement between the OCMVCD and the Organic Producer

which details the control strategy for reducing vector production on organic land and will only be necessary if vector breeding is detected on the organic certified lands.

It is the responsibility of each Organic Producer who enters into a Vector Management Plan with the OCMVCD to obtain the approvals required under the NOP for the application of any OMRI-listed public health pesticide product that the OCMVCD agrees to use under this Policy.

The OCMVCD will make all practicable attempts to apply public health pesticides that are “OMRI-listed” and “NOP allowed substances” to organic lands if vectors are found breeding or harboring on site in accordance with this Policy. Pesticides determined to be “OMRI-listed” that are “NOP allowed substances” can be significantly more expensive than the conventional public health pesticides the OCMVCD normally utilizes (e.g., NOP prohibited substances, including public health pesticides that are not OMRI-listed). The OCMVCD will accommodate requests from Certified Organic Producers or Transitional Organic Producers to make any necessary pesticide applications using products and materials that are “OMRI-listed” and “NOP allowed substances” under the following conditions: the Requester has been notified of a significant vector source on the organic certified land and has entered into an agreement (component of a Vector Management Plan) to reimburse the OCMVCD for any additional cost involved in using pesticides allowed under the NOP. Under the agreement, the OCMVCD will assume the cost of an OMRI-listed pesticide application, up to the cost of an equivalent application of a conventional public health pesticide, and any costs beyond shall be incurred by the property owner. Pesticide application costs will be assessed based on the acreage of the site requiring treatment and may vary depending on the product used at that time. The OCMVCD will make every effort to provide property owner with an estimate of costs.

Such agreement must be signed by the Requester and received by the OCMVCD as specified in the Vector Reduction Plan prior to the time the OCMVCD initiates action to control the mosquitoes in the organic producer’s field/crop/site.

If no such agreement is entered between an Organic Producer and OCMVCD, for any reason, the OCMVCD shall encourage or pursue other options to achieve vector control on problematic sites that may include, but are not limited to, owner-managed vector abatement, source reduction, which may negatively impact agricultural operations (e.g., reduce standing water), the use of conventional public health pesticides (e.g., NOP prohibited products), or by order of abatement.

In the case of a Local, State, or Federal emergency declaration, which may require an urgent response by the OCMVCD resulting in pesticide application over an area that includes an Certified Organic Producer, and the available OMRI approved products are known to be ineffective options for control of the vector of concern, treatment with effective conventional

public health pesticides may occur. In this event the reimbursement agreement does not apply and the property owner shall not be responsible for treatment costs.

If a pesticide application to control nuisance or disease vectors is warranted in an area encompassing or within the vicinity of a Certified Organic Producer, the OCMVCD will make every attempt to exclude any Certified Organic Producer operation from the treatment area. However, the OCMVCD reserves the right, under a Local, State or Federal emergency declaration, to apply a NOP prohibited substance to any certified organic operation that may produce or harbor vectors if OMRI approved public health pesticides are not readily available or have been deemed ineffective due to pesticide resistance in the vector population. In the event that a treatment for emergency pest or disease is warranted to suppress vector borne disease, as described in 7 CFR section 205.672, the affected Certified Organic Producer may be subject to certain limitations regarding the sale, labeling, or representation of the product as being organically produced. In such an event, the OCMVCD will notify the Organic Producer as soon as practicable of the OCMVCD's intention to apply a prohibited substance.

The OCMVCD will cooperate with the Orange County Agricultural Commissioner's office (Orange CAC) to obtain updated lists of registered organic producers in Orange County on an annual basis. The OCMVCD will work with the Orange CAC and/or a prominent USDA-accredited certifying agency functioning in Orange County to obtain updated lists of OMRI-listed public health pesticide products. If necessary, the OCMVCD will cooperate with County Agricultural Commissioners' offices in adjacent counties to obtain updated lists of certified organic producers potentially impacted by OCMVCD applications of public health pesticides.

The OCMVCD will conduct annual training for OCMVCD staff regarding the Certified Organic Crops Policy and location(s) of the certified organic field(s) located in and immediately adjacent to Orange County.

To help prevent significant vector breeding and harborage on certified organic agriculture lands the OCMVCD invites and encourages Certified Organic Producers in Orange County to request assistance with property inspections and the establishment of an appropriate vector control plan to address potential vector threats. This Policy and related information is available to the public at the website, [ocvector.org/organic](http://ocvector.org/organic).