

# MEMORANDUM OF AGREEMENT

## BETWEEN

NEW MEXICO DEPARTMENT OF AGRICULTURE

## AND

NEW MEXICO ENVIRONMENT DEPARTMENT

### I. Purpose

This Memorandum of Agreement establishes a cooperative agreement between the New Mexico Department of Agriculture, Bureau of Pesticide Management (NMDA), and the New Mexico Environment Department, Occupational Health and Safety Bureau (NMED), to provide for safety training and enforcement of laws and regulations meant to protect workers at risk for occupational exposure to pesticides. It establishes the conditions under which all parties involved will cooperate to fulfill their respective obligations.

### II. Background

This Memorandum of Agreement has been developed to more efficiently accomplish the shared goals of NMDA and NMED. All parties involved feel that formal coordination of efforts that may overlap will prevent the duplication of training efforts, bring about consistency in inspection programs, and reduce the chances that violations of occupational safety rules will go uncorrected.

### III. Provisions

- A. NMED and NMDA may engage in joint inspector training to familiarize inspection personnel from both agencies with requirements of worker safety laws and regulations for which each is responsible.
- B. Under guidance from NMDA, NMED may incorporate inspection for compliance with pesticide safety rules into their inspection activities when pesticide use is encountered in any regulated business.
- C. Under guidance from NMED, NMDA may incorporate inspection for compliance with applicable occupational health and safety laws or regulations into their inspection activities.
- D. Joint inspections of certain facilities, sites, or businesses to confirm compliance with pesticide and worker safety laws and regulations may be conducted by NMDA and NMED inspectors.

- E. Upon request, NMED and NMDA may supply inspection personnel and technical assistance to one another when required for the purpose of insuring compliance with pesticide and worker safety laws and regulations.
- F. NMDA and NMED will develop materials and provide training to teach pesticide handlers and inform other agricultural workers of basic pesticide safety practices.
- G. NMDA and NMED will conduct annual joint meetings to review the program, discuss plans or needed changes, and to coordinate future activities.

#### IV. Jurisdiction

Regulatory activities of NMDA and NMED will be in accordance with that agency's statutory authority and regulatory policies. It is understood that each agency will continue to exercise its respective jurisdictional authorities and that cooperation extended to the other agency does not transfer any jurisdictional rules or responsibilities.

#### V. Period of Agreement

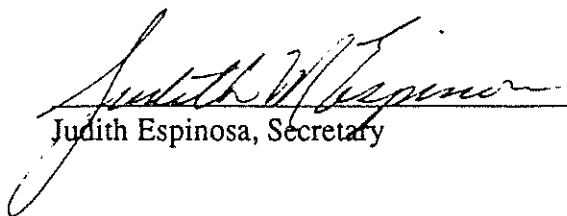
This Memorandum of Agreement is entered into and effective on the date acknowledged and shall continue for a period of three years. It may be amended and, after a three year period, renewed by mutual written consent or terminated by the participating parties upon 30-day written advance notice.

For the New Mexico Department of Agriculture

  
\_\_\_\_\_  
Frank A. DuBois, Director/Secretary

5/13/92  
Date

For the New Mexico Environment Department

  
\_\_\_\_\_  
Judith Espinosa, Secretary

5-28-92  
Date