

Regulatory Update

Pesticide Use Enforcement

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Sustainable Ag Expo

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Regulatory update

- Updated Hazard Communication Regulations
- Sulfur Dioxide Use in Wineries

What is hazardous communication?

- Me telling you what the new rules are...
- Pesticide Hazard Communication

One pesticide application could impact many people.



Hazard Communication Regulations

Updated September 12, 2009

- Notice of Applications (3CCR 6618)
- Notice of Completed Applications (3CCR 6619)
- Application-Specific Information for Fieldworkers (3CCR 6761.1)
- Field Entry After Scheduled or Completed Pesticide Application (3CCR6770)
- Requirements for Early Entry Employees(3CCR 6771)

Focus of Regulatory Changes

- Ensure employees and their employers are informed of the potential hazard of pesticides at the work site
- Ensure an adequate system is in place to prevent employees from entering treated fields during the restricted entry interval (dual responsibility between growers and contractors)
- Ensure employees have unimpeded and direct access to their pesticide exposure records and information

3CCR § 6618

Notice of Applications

- Production Agriculture
 - Any person performing pest control
 - Must notify operator of property to be treated
 - **Orally or in writing**
 - Prior to application **AND** in ample time

3CCR § 6618

Notice of Applications

- The applicator must notify the property operator and this notice must include:
 - Date of scheduled application
 - Location and description of field
 - Product name, EPA number, A.I.
 - Includes adjuvants, name and CA reg. number
 - Applicable REI
 - Any posting requirement
 - Precautions related to protection of persons

3CCR § 6618

Notice of Applications

- If date of scheduled application changes:
 - Person performing pest control must notify operator of the property of the change prior to the application and in
□ample time□



3CCR § 6618

Notice of Applications

- The operator of the property must notify:
 - Employees including fieldworkers and handlers working on the operators property
 - Employers of fieldworkers and handlers on the operators property
 - Any other person the operator has prior knowledge will likely enter on the date of the application or during the REI

3CCR § 6618

Notice of Applications

- The operator of the property notice must include:
 - Date of the scheduled application
 - Location and description of field to be treated
 - Instructions not to enter field until authorized by the operator
- If the Date changes a new notice is required

3CCR § 6618

Notice of Applications

- Employers (such as farm labor contractors) working on the operators property must give notice to their employees
 - Same information (date, location, instructions)

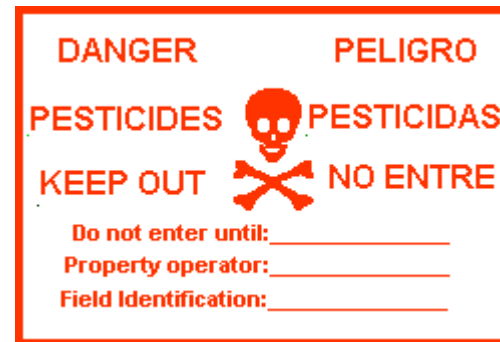


3CCR § 6618

Notice of Applications

- Exemptions

- Persons who will make or supervise the application
- The field is posted
(unless dual notice product)



- No covered employee or employer will enter or walk within $\frac{1}{4}$ mile of field from the start of the application until the completion notice is received

3CCR § 6619

Notice of Completed Applications

- Applies only to production agriculture
- Any person applying pesticides must provide the operator of the property with a notice of completion
 - Within 24 hours of completing the application
 - Orally or in writing



3CCR § 6619

Notice of Completed Applications

- Notice must contain the following
 - Location of the property, site I.D., acreage treated
 - Pesticide name, EPA reg.number
 - Includes adjuvants, name and CA reg. number
 - Date and hour the application completed
 - REI and pre-harvest interval (unless a written recommendation by a PCA was provided to the operator of the property)

3CCR § 6619

Notice of Completed Applications

- The operator of the property must maintain a written record of completion notices by site
- The operator of the property must provide notice of completion to:
 - Handler and fieldworker employees
 - Employers of handler and fieldworker employees
 - Other persons he/she has prior knowledge will likely enter field during REI

3CCR § 6619

Notice of Completed Applications

- Information the operator must provide:
 - Location and description of the field
 - Time during which entry is restricted
 - Instructions not to enter the field until REI expired

3CCR § 6619

Notice of Completed Applications

- Pest Control Business must maintain a written record
 - Name of the operator of the property
 - Location of the property, site I.D.
 - Date and time notice of completion given
 - Method of notification
 - Name of person notified (if notice to a person)

3CCR § 6761.1

Application-Specific Information for Fieldworkers

- What information
 - I.D. of treated field
 - Time and date of application
 - REI, EPA reg. number, A.I.
 - Spray adjuvant and CA reg. number

3CCR § 6761.1

Application-Specific Information for Fieldworkers

- Where and when
 - Central location
 - When operator receives completion notice
 - Before any fieldworkers allowed to enter field
 - Until not a treated field (30 days plus the REI) or until no fieldworkers on the property

3CCR § 6761.1

Application-Specific Information for Fieldworkers

- How
 - “Display” (3CCR § 6000 definition)
 - unimpeded access
 - available to employees

3CCR § 6761.1

Application-Specific Information for Fieldworkers

- On-site description of display location
 - At the treated field with field workers
 - A properly completed A-9 fulfills this requirement
 - Specific enough for FW to find without help

3CCR § 6770

Field Entry After Scheduled or Completed Pesticide Applications

- Operator keeps FWs out of field on date of scheduled application unless can assure:
 - The application has not occurred and
 - The application will not occur when FWs in field
(Example - Night time application with day time fieldworkers)

3CCR § 6770

Field Entry After Scheduled or Completed Pesticide Applications

- Operator and employers keep FWs out of field until completion notice received and:
 - REI has expired or
 - Complies with 6770(d)



3CCR § 6770(d)

Field Entry After Scheduled or Completed Pesticide Application Early Entry

- Pesticide handling activities
 - Use required PPE
- No contact activities
 - PPE immediately available
 - Inhalation exposure standards met
 - Labeling
 - Greenhouse ventilation requirements

3CCR § 6770(d)

Field Entry After Scheduled or Completed Pesticide Applications

Early Entry

Short-term limited-contact activities

- Necessary and unforeseen
- Not a double notification product
- 4 hours after application
- Inhalation exposure standards met
- Exposure minimal
- Labeling Early Entry PPE
- Time in treated field limited to 8 hours in 24-hour period

3CCR § 6770(d)

Field Entry After Scheduled or Completed Pesticide Applications Early Entry

- Short-term high contact activities
 - No hand labor (3CCR § 6000 definition)
 - 4 hours after application
 - Inhalation exposure standards met
 - Use labeling Early Entry PPE
 - Time in treated field limited to 1 hour in 24-hour period

3CCR § 6770(e)

Field Entry After Scheduled or Completed Pesticide Applications

- Labeling REI expired, 3CCR § 6772 in effect
 - No hand labor
 - Wear long sleeve, long leg work clothing, shoes, socks, and gloves

3CCR § 6771

Requirements for Early Entry Fieldworkers Employees

- No real changes to the previous regulation
 - The regulation was reformatted for clarity

Sulfur dioxide use in Wineries

- Operator ID number
- Qualified Applicator's Certificate
- Keep Records
- Submit Pesticide Use Reports
- Comply with pesticide laws, regulations and the label



Questions?



For more information

- www.cdpr.ca.gov
- Call the County Agricultural Commissioner's Office nearest you