California Laws & Regulations

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San Diego County
Department of Agriculture,
Weights and Measures
(858) 694-8980
Agenda

What we want to tell you!
- CalAgPermits Online Use Reporting - Nancy
  - New Pesticide Safety Information Series Updates - Nancy
  - Personal Protective Equipment Updates - Kara
  - Notification of Pesticide Applications - Kara
  - What Ag Inspectors think during an inspection - Nancy

You get to choose (Pick 1):
- Second Generation Anti-coagulant Rodenticides
- Surface Water Protection
On-Line Use Reporting!
New and Improved!
Faster and Easier than Ever!
On-Line Use Reporting!

- Accessible from any computer
  - Start at work, finish at home
- No printing
  - All records saved online
  - Meets record retention requirements for inspections
- All your Records are in one place
  - No more lost records or filing
- You can see the reports we inputted
- Remembers your pesticides for future entries
How do I get started?

To get your User Name and Temporary Password

- Call us at (858) 694-8980
- E-mail us at prp.awm@sdcounty.ca.gov
- Ask your Inspector
Home Page
Easy Fill-In Form

MSPUR – Non-Ag., Non-production Ag. Monthly Summary Pesticide Use Report

Operator License #: Permit #: Report Month/Year:

Operator Name: Address: Phone:

License #: Permit #: County: San Diego Report Month/Year:

Product and Manufacturer: Federal or State Registration No.: Total Product Used:

Commodity Treated:

Code: Commodity
10-0: STRICT PEST CONT
10-20: STRICT PEST/PARK
30-0: LANDSCAPE MAIN

Show Recently Used:
Pesticide Safety Information Series (PSIS)
Background

- DPR developed the Pesticide Safety Information Series (PSIS) Leaflets in the 1970’s and 1980’s
- Leaflets are used as a training aid for handlers and farm workers
- A-Series = Agriculture
- N-Series = Everyone Else
PSIS Content

- Regulation currently requires the leaflets to be part of pesticide handler and fieldworker training.
- Must be available for employees to review.
- Leaflets are currently found on DPR’s website and are available in English, Spanish, and Punjabi.
Revisions

- Language was updated to include recent regulatory changes which went into effect July 1, 2015
  - A-3 and N-3 reflect the new PPE regulations
  - A-5 and A-5 reflect the new Respiratory regulations
- Redesigned with updated graphics and photos
- Easier to read on a tablet or smartphone
- Reorganized to enhance clarity
- Reordered to remove gaps in numbering
  - A-6 and N-6 were discontinued because contents were already covered by other leaflets
  - A-10/N-10 contents were moved to A-6/N-6 and A-11 contents were moved to A-10
Personal Protective Equipment Regulation Update
Personal Protective Equipment

- The intent of PPE is to protect the applicator from exposure.
- Often people discount the importance of PPE
  - Homeowner Use Roundup Product
    - Label did not require gloves
    - Gloves were not used
Gloves - New Regulations

- New Regulations effective July 1, 2015
- Code section changed to Title 3 of the California code of Regulations section 6738.3
  - Code now includes EPA’s glove categories
Gloves-New Regulations

- One of three scenarios will happen:
  1. The Barrier material will specified by a category on the product labeling
     - The required glove material must be made of that material.
     - For Example:

     PERSONAL PROTECTIVE EQUIPMENT (PPE)
     APPLICATOR AND OTHER HANDLERS
     MUST WEAR: Long sleeved shirt and long pants, shoes plus socks and chemical-resistant gloves.
     Some materials that are chemical resistant to this product are: Barrier laminate $\geq 14$ mils or Butyl rubber $\geq 14$ mils. If you want more options, follow the instructions for Category B on an EPA chemical resistance category selection chart.

- Category B: barrier laminate or butyl rubber must be used
Gloves-New Regulations

2. Chemical resistant gloves will be required by the label, but do not specify the barrier material or category
   - Any of the categories can be worn

3. The label will not mention gloves
   - Any of the categories can be worn
Gloves-New Regulations

- **New Items**
  - All chemical resistant gloves must be at least 14 mils
  - Exemption: Chemical-resistant gloves used to make fine adjustments and other tasks that require dexterity:
    - Can only be used for 15 minutes
    - If these gloves tear, it is a violation
  - Glove liners are allowed by code
  - Leather gloves may be worn over 14 mil chemical-resistant gloves when required by working conditions
  - Still not allowed:
    - Flocked gloves
    - Gloves with a non-separable liners
Gloves

Which gloves are acceptable for pesticide use?

Leather Work Gloves: When mandated by label or working conditions mandate it, then they can be worn over chemical resistant gloves.

Fabric with rubberized palms & fingers: Never!

Gloves with lining: Never!

Latex Exam: NEVER, Not pesticide resistant!

Nitrile 14 mils: YES!
Glove Liners Information

Helpful because:
• They absorb sweat
• Keep hands warm in winter

Conditions of use:
• The use of glove liners is allowed only when the following conditions are met:
  • Not prohibited by the label
  • Separable from the chemical-resistant glove
  • Do not extend outside of the chemical-resistant gloves
  • Must be replaced immediately if directly contacted by a pesticide
  • Liners must be discarded at the end of each workday.
Eyewear-New Regulations!

- New Code section
  - Title 3 of the California of Regulations section 6738.2
- All Eyewear must:
  - Provide brow and temple protection
  - Conform to the curvature of the face
  - Offer side protection
  - Bear evidence of compliance with American National Standard for Occupational and Education Personal Eye and Face Protection Devices ANSI Z87.1-2010 standards
Eyewear-New Regulations!

- Label does not require eye protection, one of the following must be worn:
  - Safety glasses with front, brow and temple protection
  - Goggles
  - Face shield
- Pesticide Label requires eye protection
  - The specified eye protection must be worn.
- Prescription eyeglasses and PPE must not interfere with each other.
Consent to apply

- No person shall directly discharge a pesticide onto a property without the consent of the owner or operator of the property.
3CCR 6618-Pest Control Business

- Pest Control Business Shall Notify the Operator of the Property:
  - Date of the scheduled application
  - Monthly schedule
  - Identity of pesticide by brand or common chemical name including spray adjuvants
    - Avoid Brand Name!
  - Precautionary statements from the pesticide label
    - Stay out until dry!
  - Notification can be in writing or oral

We are going to spray glyphosate on July 1, 2016. Keep everyone out until it is dry!

Okay!
3CCR 6618-Operator of the Property

The operator of the property shall assure that notice is given to all persons who are on the property to be treated, or who may enter during the application or the period of time that any restrictions on entry are in effect:

- Includes people who are known to be there
- Date of application
- Identity of pesticide by brand or common chemical name including spray adjuvants (Avoid name brand)
- Precautionary statements from the pesticide label
HOA or Park

- How is the operator giving notification?
  - Make sure they are!

- Are you going to do it for them?
  - Place Signs
  - Put up cones/caution tape
  - Have a spotter keep people out/Verbally notify
  - Post information in common area
Rodenticides

- You can give notification for the year, but must be date specific
- Rodents must be affecting landscape
- Watch new labels
  - Must be labeled for Landscape use
Bait Stations

- Must have:
  - The name and address of the person or firm responsible for the container
  - The identity of the pesticide in the container
  - The word "Danger," "Warning," or "Caution," in accordance with the label on the original container.
Work with Occupants

- Do they have children or pets that could come out unexpectedly?
- Are their windows open?
- “Keep children and pets off treated area until dry” - How are you going to meet that requirement?
- Granular systemic a better choice?
What Ag Inspectors are thinking during applications

- Are they doing the application safely?
- Are they registered?
- Are they wearing the correct PPE?
- What are they spraying?
- Did they give notification?
- What is the nearest coffee shop?
- Are they wearing the correct PPE?
Licensing-Company

- Make sure you have the correct license for:
  - Your company
    - Maintenance Gardener
      - Incidental to the business
      - Primary function is gardening
      - Contract must cover pest control
    - Limited to pest control in ornamental and turf plantings indoors, in commercial parks, or surrounding structures.
  - Pest Control Business
    - Primary function can be gardening or pest control.
    - Can bid to do pest control.
Licensing - Qualifying Manager

Your qualifying manager must have the correct license to qualify your company:

- Maintenance Gardener
  - Qualified Applicators Certificate (QAC)
    - Category B (Landscape) or Q (Maintenance Gardener)
  - Qualified Applicators License (QAL)

- Pest Control Business
  - Qualified Applicators License (QAL)
Licensing - Categories

- A - Residential, Industrial, and Institutional
- B - Landscape
- C - Right of Way
- D - Plant Agriculture
- E - Forest
- F - Aquatic
- G - Regulatory
- H - Seed Treatment
- I - Animal Agriculture
- J - Demonstration and Research
- K - Health Related
- L - Wood Preservation
- M - Antifouling Paints or Coating Containing Tributyltin
- N - Sewer Line Root Control
- O - Field Fumigation
- P - Microbial Pest Control
- Q - Maintenance Gardener
Registration

- You must register your company with the Agricultural Commissioner in each county BEFORE you do work.

- Registration in the County is January 1st to December 31st.

- Fees
  - Pest Control Business = $75
  - Maintenance Gardening Business = $25
  - NOPA = Starts at $250 for failure to register prior to your first application.
  - NOPA = Starts at $400 for failure to be licensed.
Handler Requirements

- Who is a handler?
  - Applicators
  - Anyone assisting with the applications
  - Anyone who maintains equipment
Training Requirements -
Before handling pesticides

6724. Handler Training.
(a) A Written Program
(b) Trained in the label and MSDS for each group of pesticides (16 Points)
(c) Employee must be able to understand the training
(d) Done before handling
(e) Completed yearly
Following the Label
Still our #1 Violation
What is on a Label?

- Restricted Entry Interval (REI)
- Precautionary Statements
  - Bee protection
  - Personal Protection Equipment (PPE)
- Rates
- Sites!
- First Aid
# Reading the Label

## First Aid

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| **If inhaled** | • Move person to fresh air.  
• If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably mouth-to-mouth, if possible.  
• Call a poison control center or doctor for further treatment advice. |
| **If swallowed** | • Call a poison control center or doctor immediately for treatment advice.  
• Have person sip a glass of water if able to swallow.  
• Do not induce vomiting unless told to do so by the poison control center or doctor.  
• Do not give anything by mouth to an unconscious person. |
| **If in eyes** | • Hold eye open and rinse slowly and gently with water for 15-20 minutes.  
• Remove contact lenses, if present, after the first 5 minutes, then continue rinsing eye.  
• Call a poison control center or doctor for treatment advice. |
| **If on skin or clothing** | • Take off contaminated clothing.  
• Rinse skin immediately with plenty of water for 15-20 minutes.  
• Call a poison control center or doctor for treatment advice. |

### NOTE TO PHYSICIANS

To be effective, treatment for diquat poisoning must begin IMMEDIATELY. Treatment consists of binding diquat in the gut with suspensions of activated charcoal or bentonite clay, administration of cathartics to enhance elimination, and removal of diquat from the blood by charcoal hemoperfusion or continuous hemodialysis.

Have the product container or label with you when calling a poison control center or doctor, or going for treatment.

### HOTLINE NUMBER

For 24-Hour Medical Emergency Assistance (Human or Animal) or Chemical Emergency Assistance (Spill, Leak, Fire, or Accident). Call 1-800-888-8372
## Precautionary Statements

### Hazards to Humans and Domestic Animals

**CAUTION**

Harmful if inhaled. Harmful if swallowed. Causes moderate eye irritation. Avoid breathing spray mist. Avoid contact with eyes, skin, or clothing.

### Hazards to Humans and Domestic Animals

**DANGER.** May be fatal if swallowed. Fatal if inhaled. Corrosive. Causes irreversible eye damage. Wear protective eyewear. Do not breathe spray mist. Wear a dust mist respirator. Causes irreversible eye damage. Do not get in eyes or on clothing. Harmful if absorbed through skin. Avoid contact with skin. Prolonged or frequently repeated contact may cause allergic reactions in some individuals.

**IMPORTANT:** Inhalation is an unlikely route of exposure due to low vapor pressure and large spray droplet size, but mucosal irritation or nose bleeds may occur. Prolonged contact with this concentrated product can iritate your skin.
Reading the Label
Restricted-Entry Interval (REI)

**AGRICULTURAL USE REQUIREMENTS**

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE), and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

Do not enter or allow worker entry into treated areas during the restricted-entry interval (REI) of 24 hours.

PPE required for entry to treated areas that is permitted under the Worker Protection Standard and that involves contact with anything that has been treated, such as plants, soil, or water is:
- Coveralls over short-sleeved shirt and short pants, or coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves made of any waterproof material
- Chemical-resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure

**NON-AGRICULTURAL USE REQUIREMENTS**

The requirements in this box apply to users of this product that are NOT within the scope of the Worker Protection Standard for agricultural pesticides (40 CFR part 170). The WPS applies when this product is used to produce agricultural plants on farms, forests, nurseries, or greenhouses.

Keep all unprotected persons out of operating areas or vicinity where there may be drift.

For terrestrial use, do not enter or allow entry of maintenance workers into treated areas, or allow contact with treated vegetation except with spray, dew, or rain, without appropriate protective clothing until spray has dried.

For aquatic uses, do not enter treated areas while treatments are in progress.
Reading the Label

Personal Protective Equipment (PPE)

Applicators and other handlers (other than mixers and loaders) must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves – Category A (e.g., barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinyl chloride (PVC) or viton)
- Shoes plus socks
- Protective eyewear
- NIOSH-approved particulate filtering respirator equipped with N, R or P class filter media. The respirator should have a NIOSH approval number prefix TC-84A. It is recommended that you require that respirator wearer to be fit tested, and trained in the use, maintenance and limitations of the respirator.

Mixers and loaders must wear:

- Long-sleeved shirt and long pants
- Chemical resistant gloves – Category A (e.g., barrier laminate, butyl rubber, nitrile rubber, neoprene rubber, natural rubber, polyethylene, polyvinyl chloride (PVC) or viton)
- Shoes plus socks
- Chemical resistant apron
- Face shield
- NIOSH-approved particulate filtering respirator equipped with N, R or P class filter media. The respirator should have a NIOSH approval number prefix TC-84A. It is recommended that you require that respirator wearer to be fit tested, and trained in the use, maintenance and limitations of the respirator.
Personal Protective Equipment (PPE)

- Long-Sleeved Shirt
- Long Pants
- Chemical-Resistant Gloves
- Shoes plus Socks
- Eye protection?
  - Yes! Employees must wear at all times
Review the Label Often!

- Manufacturers Change
- Companies get bought out
- Rates and sites can change
- EPA registration numbers change for Use Reporting

EPA Reg. No. 70506-6-53883
EPA Est. No. 53883-TX-002
Personal Protective Equipment (PPE)
Applicators and other handlers must wear: long-sleeved shirt and long pants, shoes plus socks. Follow manufacturer's instructions for cleaning/maintaining Personal Protective Equipment (PPE). If there are no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.
**The Label and PPE**

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**Personal Protective Equipment (PPE)**

**Applicators and other handlers must wear:** Long-sleeved shirt and long pants, protective footwear plus socks, and protective eyewear. Discard clothing and other materials that have been heavily contaminated with this product’s concentrate. Follow manufacturer’s instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.
The Label and PPE

PRECAUTIONARY STATEMENTS (continued)

Personal Protective Equipment (PPE)
Some materials that are chemical-resistant to this product are: barrier laminate, butyl rubber ≥14 mils, nitrile rubber ≥14 mils. If you want more options, follow the instructions for Category A on an EPA Chemical Resistance Category Selection Chart.

Mixers, Loaders, Applicators and other handlers must wear:
- Coveralls over short-sleeved shirt and short pants or coveralls over long-sleeved shirt and long pants
- Chemical-resistant gloves
- Chemical-resistant footwear plus socks
- Protective eyewear
- Chemical-resistant headgear for overhead exposure
- Chemical-resistant apron when cleaning equipment, mixing, or loading
- Face shield when mixing or loading
Ask Questions

- **Call us! Seriously Call us!**
  - If you have questions about anything. No question is stupid or too silly
  - If your business encounters changes (e.g. change in ownership, change in qualified manager)
  - If you start working in a new area (e.g. working for a government); call us before you submit your bid.
  - You are a government agency and are going to be taking bids.
  - If in doubt, call us. Avoid violations do not go into uncharted territory alone!