

# DIRECT MARKETING 101

## California Pesticide Laws and Regulations



**Kristi Conway**  
**Agricultural/Standards Inspector**

# Today's Topics

- What is a Pesticide?
- Exempt Pesticides
- Operator Identification Numbers
- Reading the label
- Use Reporting
- Employee Requirements
  - Pesticide Applicators
  - Fieldworkers



# What Is a Pesticide?

- 12753. "Pesticide" includes any of the following:
  - (a) Any spray adjuvant.
  - (b) **Any substance**, or mixture of substances which is intended to be used for **defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest**, as defined in Section 12754.5, which may infest or be detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environment whatsoever.

# What Is a Pesticide?

- Anything that prevents, destroys, repels, or mitigates any pest.
  - Insecticides
  - Rodenticides
  - Fungicides
  - Herbicides
  - Organic Pesticides
    - Neem Oil
    - Peppermint Oil
  - Homemade remedies
    - Vinegar
    - Dr. Bronner's Soap Solutions



# Exempt Pesticides

- Products with the active ingredient:

Castor oil	Cedar Oil	Garlic oil	Putrescent whole egg solids
Cinnamon		Geraniol	Rosemary
Cinnamon oil		Geranium oil	Rosemary oil
Citric acid		Lauryl sulfate	Sesame oil
Citronella		Lemongrass oil	Sodium chloride
Citronella oil	Cloves	Linseed oil	Sodium lauryl sulfate
Clove oil		Malic acid	Soybean oil
Corn gluten meal		Mint	Thyme
Corn oil		Mint oil	Thyme oil
Cottonseed oil		Peppermint	White pepper
Dried blood		Peppermint oil	Zinc metal strips
Eugenol		2-Phenethyl propionate	
Garlic		Potassium sorbate	



# Exempt Pesticides

- Exempt from EPA Registration
  - No EPA Registration number
- Exempt from EPA Registration
- Do not have to be reported on use reports
- Do have to keep application records
- Still have to train employees and fieldworkers

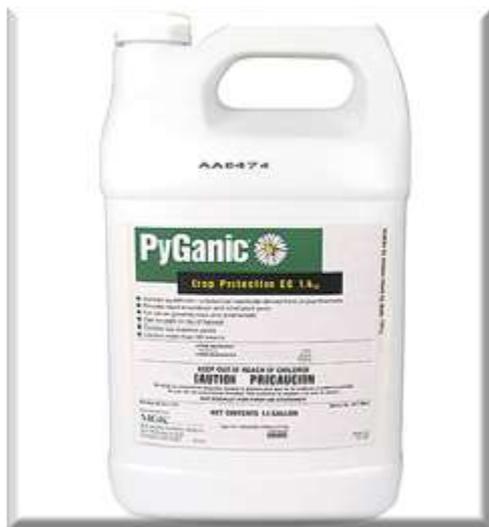


# Operator Identification Numbers

- Prior to the purchase and use of pesticides for the **production of an agricultural commodity**, the operator of the property shall obtain an operator identification number.
- Office Hours 1:00-3:00 Monday-Friday
  - San Marcos Office/San Diego Office
- (858) 694-8980 information/appointments

# Operator Identification Numbers

- Allows you to purchase Ag. Use Pesticides from a licensed pesticide dealer.
  - Excludes CA & Federally Restricted Pesticides
- Allows you to submit Pesticide Use Reports



# Operator Identification Numbers



San Diego County - Agriculture, Weights & Measures  
9325 Hazard Way, Suite 100  
San Diego, CA 92123

Phone (858) 694-8980  
Fax (858) 467-9277

E-mail [prp.awm@sdcounty.ca.gov](mailto:prp.awm@sdcounty.ca.gov)  
Recorder (858) 694-8980  
(NOIs)

## Operator Identification Number 37-16-37P1234

**Operator:** SMITH FAMILY FARM  
28520 THYME VALLEY ROAD  
SAN MARCOS, CA 92069

**Agent:** SMITH, JOE  
28520 THYME VALLEY ROAD  
SAN MARCOS, CA 92069

**Type of Use:** Agricultural Use

**# 37P1234-2016-Version:** 1  
**County District #:** 51  
**Issued on:** 4/19/2016  
**Valid as of:** 1/1/2016  
**Expires on:** 12/31/2016  
**Primary Phone:** (760) 123-3412  
**Alternate Phone:** (760) 789-1478  
**Mobile Phone:**  
**Fax:**

*Employees Handle Pesticides*

### Regulatory Notes:

I understand this operator identification number does not relieve me from liability for any damage to persons or property caused by the use of pesticides. I acknowledge that duly authorized representatives from the County Department of Agriculture or the Department of Pesticide Regulation may, at reasonable times, enter and inspect fields, areas, structures, greenhouses and equipment (including protective clothing and equipment) where pesticides are handled, stored or applied (ref. 3 CCR 6140).

# Operator Identification Numbers

OPERATOR IDENTIFICATION NUMBER # 37-16-37P1234  
SMITH FAMILY FARM

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Expires: 12/31/2016

## CONTACT LIST

<u>Name</u>	<u>Auth Rep.</u>	<u>Phone</u>	<u>License</u>	<u>Expiration</u>	<u>Contact Type</u>
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## PESTICIDES LIST

<u>Number</u>	<u>Pesticide</u>	<u>Pests</u>	<u>Forms</u>	<u>Methods</u>	<u>Applicators</u>
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## SITES LIST

<u>Site</u>	<u>Location   Site Name</u> <u>Commodity Name/Code</u>	<u>Quantity</u>	<u>District</u>	<u>Section (MTRS)</u>
ABC031	28520 THYME VALLEY RD SAN MARCOS, CA 92084 N-OUTDR GRWN CUT FLWRS OR GREENS / 152-0	40 ACRES	51	S09S03W10
XYZ032	12345 DRAGON FRUIT LANE VISTA, CA 92084 N-OUTDR GRWN CUT FLWRS OR GREENS / 152-0	5 ACRES	51	S10S03W10

# Picking the Right Pesticide

- Pesticide must be registered (Except Exempt Pesticides)
- Ag. Use pesticides must be purchased from Licensed Pesticide Dealers
  - Pest Control Advisors



# Reading the Label



## DIRECTIONS FOR USE

### 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 apply this product in a way that will contact workers or other persons, either directly or through drift. Only protected handlers may be in the area during application.

Do not enter or allow worker entry into treated areas during the Restricted Entry Interval (REI) of 4 hours. ←

PPE required for early 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
- Waterproof gloves
- Shoes plus socks

# Reading the Label



## PRECAUTIONARY STATEMENTS

### HAZARD TO HUMANS AND DOMESTIC ANIMALS

#### CAUTION ←

Harmful if inhaled or absorbed through the skin. Causes moderate eye irritation. Avoid breathing dust or spray mist. Avoid contact with skin, eyes or clothing. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove contaminated clothing and wash before reuse.

#### Personal Protective Equipment (PPE) ←

Applicators and other handlers must wear:

- Long-sleeved shirt and long pants
- Waterproof gloves
- Shoes plus socks

Mixer/loaders and applicators must wear a dust/mist filtering respirator meeting NIOSH standards of at least N-95, R-95, or P-95. Repeated exposure to high concentrations of microbial proteins can cause allergic sensitization.

Follow the manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables, use detergent and hot water. Keep and wash PPE separately from other laundry.

# Label Required PPE

- Label required Personal Protective Equipment (PPE) (varies by label)
- May include chemical resistant:
  - Eye protection (glasses, goggles, or face shield)
  - Gloves
  - Respirator
  - Footwear
  - Headgear
  - Apron
  - Coveralls
- May list nothing



# Regulation Required PPE

- Regulation Required PPE
  - Required even if it is not required by the label
    - Chemical resistant gloves
    - Protective eyewear



# Reading the Label

## DIRECTIONS FOR USE

Sprayer, fine, or coarse mist.

**Vegetable, brassica leafy (Crop Group 5) Including:** Broccoli; broccoli, Chinese (gai lon); broccoli raab (rapini); Brussels sprouts; cabbage; cabbage, Chinese (bok choy); cabbage, Chinese (napa); cabbage, Chinese mustard (gai choy); cauliflower; cavalo broccoli; collards; kale; kohlrabi; mizuna; mustard greens; mustard spinach; rape greens.

0.5 - 2

Use 0.5 to 1.5 lb/acre for looper control and 1-2 lb/acre for *Heliothis* spp. control depending on larval stage and infestation levels. Use surfactants for hard to wet crops.



## GENERAL USE DIRECTIONS

- Do not reapply within 3 days, except under extreme pest pressure.
- In case of extreme pest pressure, do not reapply within 24 hours.
- Do not harvest until spray has dried.
- Do not wet plants to point of runoff or drip.

**SUBTROPICAL FRUITS: Including:** Avocado, Banana, Carob, Barbados Cherry, Cherimoya, Dates, Durian (jackfruit), Feijoa, Figs, Guava, Kiwifruit, Lychee, Mango, Papaya, Passion Fruit, Persimmon, Pineapple, Pomegranate.

# Reading the Label



## ECOTROL<sup>®</sup> PLUS INSECTICIDE/MITICIDE

A BROAD SPECTRUM BOTANICAL INSECTICIDE/MITICIDE FOR USE IN AGRICULTURE, FRUITS, NUTS, VEGETABLES, ORNAMENTALS, LANDSCAPES, TURF, GREENHOUSES, AND NURSERIES

- EMULSIFIABLE CONCENTRATE
- NO REENTRY INTERVAL
- NO PREHARVEST INTERVAL

### Active Ingredients:

Rosemary Oil.....	10.0
Geraniol.....	5.0
Peppermint Oil.....	2.0
Other Ingredients:* .....	83.0
TOTAL	100.0

\*Butyl lactate, Isopropyl myristate, Polyglyceryl oleate, Isopropyl alcohol, Vanillin

### 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 also contains specific instructions and exceptions pertaining to statements on this label about personal protective equipment (PPE). The requirements of this box only apply to uses of this product that are covered by the Worker Protection Standard. For any requirements specific to your State or Tribe, consult the agency responsible for pesticide regulation

### NO REENTRY INTERVAL AND NO PREHARVEST INTERVAL

PPE required for early entry to treated areas that is permitted under the Worker Protection Standard and involves contact with anything treated such as plants or soils: Long sleeved shirt, long pants, shoes and socks, chemical resistant gloves.

### PERSONAL PROTECTIVE EQUIPMENT (PPE)

Persons applying this product should wear:

- Long sleeve shirts and long pants, shoes and socks
- Protective eyewear
- Chemical resistant gloves made of neoprene, nitrile or natural rubber.

# Reading the Label

**ECOTROL® PLUS**  
INSECTICIDE/MITICIDE

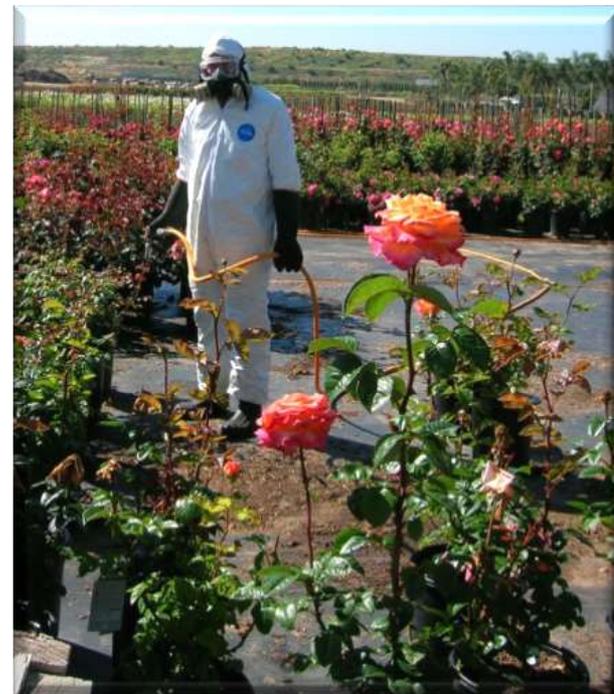
## DIRECTIONS FOR USE

**AGRICULTURE APPLICATION RATES:** Spray when pests first appear. Repeat application every 5 to 7 days.

<b>Crops</b> Including but not limited to...	<b>Insects / Mites</b> Including but not limited to...	<b>Application Rate in 100 gallons per Acre</b> for Ground Applications
<b>Legume and Fruiting Vegetables:</b> Asparagus, Beans, Eggplants, Lentils, Peas, Peanuts, Peppers and Tomatoes	Aphids, Beetles, Whiteflies, Two-Spotted Spider Mites, Plant Bugs, Thrips, and Early stages of Caterpillars	1.0 - 4.0 pt
<b>Bulb, Cole and Leafy Vegetables:</b> Broccoli, Cabbage, Cauliflower, Celery, Garlic, Lettuce, Onions and Spinach	Aphids, Beetles, Whiteflies, Two-Spotted Spider Mites, Plant Bugs, Thrips, and Early stages of Caterpillars	1.0 - 4.0 pt (For Onion: Use 1.0 - 5.0 pt)

# Pesticide Use Reporting

- All pesticide **use** must be reported to us monthly (except exempt pesticides)
- No pesticide use = No Report for that month



# On-line Pesticide Use Reporting

- Accessible from any computer
- 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
- Remembers your pesticides for future entries



# Do You Have Employee Pesticide Handlers?

- Handlers are employees who are involved in...
  - mixing, loading, transferring, applying, or assisting with an application.
  - maintaining, servicing, repairing, cleaning, or handling application equipment.
  - entering a treated area during an application or before the REI has elapsed.



# Employee Handler Training

- Must occur before an employee is allowed to handle pesticides (not a complete list):
  - The training program must be written
    - It must cover all the required topics listed in 3CCR6724
    - Written training programs are available in English and Spanish from SD AWM
- Must be in a language the employee can understand

# Employee Handler Training

- The training must be provided by a **qualified trainer**.
- Must be trained annually
- Respirator Training
  - Written training programs are available in English and Spanish from SD AWM



# Employer Requirements

- Employers are required (not a complete list):
  - To provide all required PPE
  - To provide for the PPE's daily inspection and cleaning
  - To make sure the PPE is being stored correctly
  - To make sure your employee uses the equipment and uses it correctly



# Do You Have Fieldworkers?

- "Fieldworker" means any person who, for any kind of compensation, performs cultural activities in a field not related to pesticides.
- Does not include handling pesticides.

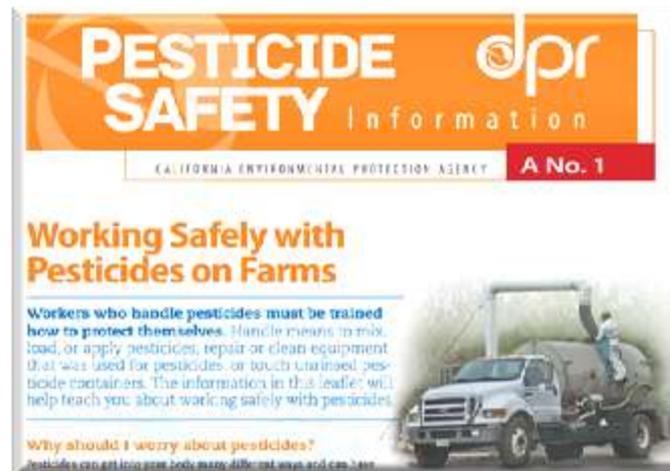


# Fieldworker Training

- Field worker Training Requirements (not a complete list)
  - Must occur before the employee is allowed to enter the treated area or an area where an REI has been in effect within 30 days
  - The training program must be written
    - It must cover all the required topics listed in 3CCR6764
    - Written training programs are available in English and Spanish from SD AWM
  - Must be in a language the employee understands
  - Training must be every 5 years (Annually, Starting Jan. 2017)
  - The training must be provided by a **qualified trainer**
    - SD AWM does fieldworker training

# Employee Right To Know

- Employees and Fieldworkers must know (not a complete list):
  - Where to access pesticide application information for the area they are working in.
  - Where to find Safety Data Sheets
  - How to obtain emergency medical care



# Notification-Your Requirements

- Must notify anyone likely to enter a treated area during the application or while the REI is in effect.
- Must be in a manner the person can understand and include:
  - The date of the scheduled application
  - The location and description of the area to be treated
  - Instructions not to enter the treated area
- There should be no mystery!



# Top 7 Production Ag. Violations

- Hazard Communication Handler/ FW
- Pesticide Label
- Application Specific Information Handler/FW
- Pesticide Use Reports Submitted
- Respirator Medical Evaluations
- Regulation PPE
- Handler Training

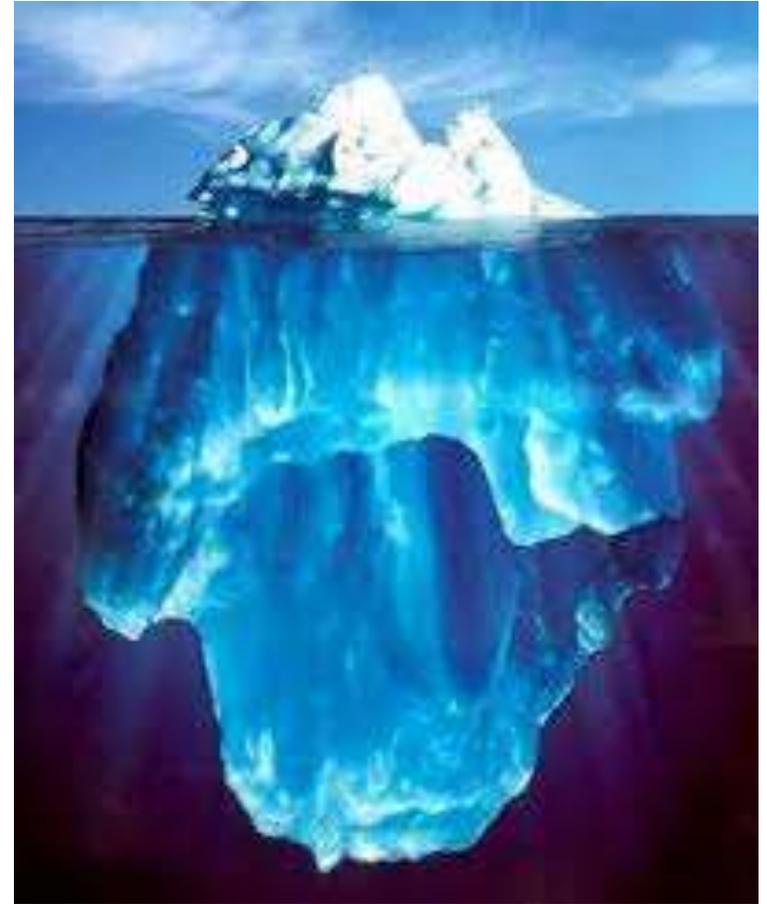
# So you apply pesticides, now what?

- Obtain an Operator Identification Number
- Maintain Pesticide Use Records
  - Submit them to us
- Know how to read a label
  - Safety
  - Personal Protective Equipment
  - Commodities
  - Rates



# We are here to help!

- This is just the tip of the iceberg.
- We want you in compliance!



# We are here to help!

Today was just a brief explanation of things. If you have any questions or concerns please contact us and we will work with you to ensure you are in compliance.

## San Diego County Department of Agriculture Pesticide Regulation Program

(858) 694-8980 or [prp.awm@sdcounty.ca.gov](mailto:prp.awm@sdcounty.ca.gov)

Two office locations to serve you.

### **Kearny Mesa**

9325 Hazard Way, Suite 100  
San Diego, CA 92123

### **San Marcos**

151 E. Carmel St.  
San Marcos, CA 92069

# CONTACT INFORMATION

## CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)



Certified Farmers' Market Program  
1220 N Street, Sacramento, CA 95814  
Phone: (916) 900-5030  
Email: [cfm@cdfa.ca.gov](mailto:cfm@cdfa.ca.gov)

For more information, forms and links to law and regulations visit  
website - <http://www.cdfa.ca.gov>

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## COUNTY OF SAN DIEGO DEPARTMENT OF AGRICULTURE, WEIGHTS & MEASURES

9325 Hazard Way, Ste. 100, San Diego, CA 92123

### Certified Producers, Certified Farmers' Markets, Organic, Avocado, Eggs:

Agricultural Standards Program

Phone: (858) 614-7786

Email: [AgStandards.AWM@sdcounty.ca.gov](mailto:AgStandards.AWM@sdcounty.ca.gov)

For printable application packets visit website: <http://www.sdcawm.org>

### Pesticide Use:

Pesticide Regulation Program

Phone: (858) 694-8980

Email: [PRP.AWM@sdcounty.ca.gov](mailto:PRP.AWM@sdcounty.ca.gov)

### Scales:

Weights & Measures Program

Phone: (858) 694-2778

Email: [se.awm@sdcounty.ca.gov](mailto:se.awm@sdcounty.ca.gov)

### Nursery Stock:

Plant Health & Pest Prevention Program

Phone: (760) 752-4700

Email: [PHPP.AWM@sdcounty.ca.gov](mailto:PHPP.AWM@sdcounty.ca.gov)

Located in our San Marcos office at 151 E. Carmel St., San Marcos, CA 92078

