



December 29, 2023

WHS 23-01

TO: COUNTY AGRICULTURAL COMMISSIONERS

SUBJECT: HANDLER TRAINING REGULATION UPDATES FOR 2024

The Department of Pesticide Regulation (DPR) has made the following regulatory changes to California’s pesticide worker safety regulations in Title 3 of the California Code of Regulation (3 CCR) to align with recent changes to the United States Environmental Protection Agency’s certification and training regulations. The changes are effective January 1, 2024.

**Age Restriction:** Consistent with a change to 3 CCR section 6612, the handler training topic in 3 CCR section 6724(b)(17) was amended to specify that “handlers must be of 18 years of age if handling a restricted material as specified in 6400.” This is in addition to the current training topic that an employee must be at least 18 years of age to handle a pesticide used in commercial or research production of an agricultural commodity.

**Safe Use Information on the Label:** 3 CCR Section 6724(b)(1) was amended to clarify the existing requirement that a handler training program must include the format and meaning of information on the product labeling. The amendment provides examples applicable to the safe use of the pesticide, such as precautionary statements about human health hazards and labeling-required personal protective equipment.

**Identifying Restricted Pesticides:** 3 CCR Section 6724(b)(23) was replaced with the new handler training topic, which requires that all handler training programs include information on how to identify if a product is a restricted pesticide, either a federal restricted use pesticide or a California restricted material listed in 3 CCR section 6400. The previous 3 CCR section 6724(b)(23), which covered the training topic on employees’ rights, was renumbered to section 6724(b)(25) and is still in effect.

**Requirements for a Noncertified Applicator Handling a Restricted Pesticide:** 3 CCR Section 6724(b)(24) was added to the initial and annual training topics so that if an employee will handle a restricted pesticide, the employer’s handler training program *must* cover:

1. How to identify if a certified applicator needs to be physically present during the use of the pesticide. Per 3 CCR section 6406(c), this is determined by product labeling, restricted material permit conditions, or regulations.

2. The certified applicator's responsibility to provide them with product- and site-specific instructions, including label directions, precautions, use requirements, and how site characteristics and application conditions may impact adverse effects.
3. The requirement for noncertified applicators to be able to immediately communicate directly with the supervising certified applicator, as specified in 3 CCR section 6731. This communication may be in person or by voice, two-way radio, cell phone, video conference or other similar means. Text messaging, email, voicemail, and other means of indirect communication do not meet this requirement.

After completing handler training and prior to handling a restricted pesticide, the certified applicator is responsible to provide additional instructions to the noncertified applicator specific to the application site and pesticide(s) to be used. For more information on these supervision standards see 3 CCR section 6406.

**Other Handler Training Requirements:** 3 CCR Section 6724(c) was amended to require that all employees handling pesticides receive training in a location reasonably free from distraction, that the trainer be present for the entire training, and the trainer must respond to employee questions. Previously, the free from distraction and trainer presence requirements applied only to training of handlers of pesticides used for commercial or research production of an agricultural commodity.

**Record Requirements for a Noncertified Applicator:** 3 CCR Section 6724(d) was amended to specify employer's recordkeeping requirements for certified applicators who are considered noncertified applicators for certain uses and to specify what the record must contain.

**Handler Training Record Keeping Requirements:** 3 CCR Section 6724(e) was amended to require that all handler training records include the employee's printed name, employer's name, trainer's name, and titles and sources of materials used. These requirements formerly applied only to employees handling pesticides used for commercial or research production of an agricultural commodity.

The section was also amended to provide clarifying language on the requirements for pesticide handler training record maintenance and access. 3 CCR Section 6724(e)(1) specifies that the training record shall be made available to the employee, director, or commissioner upon request. Further, the record shall be accessible to a certified applicator supervising the employee using a restricted pesticide. This is because 3 CCR section 6406 requires a certified applicator to verify that the employee's training record covers the pesticide and use situation prior to the employee handling a restricted pesticide.

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The subsection was also amended to add a requirement for employees who handle a restricted pesticide. For these employees, 3 CCR section 6724(e)(2) requires that the training record also include the trainer's qualifications. Previously, this requirement applied only to employees handling pesticides used for commercial or research production of an agricultural commodity.

**Equipment Training:** Under new 3 CCR section 6742(a), the employer must train an employee handling pesticides on the safe operation of any equipment used for mixing, loading, transferring, or applying pesticides. This must be done prior to the initial use of the equipment and at least annually thereafter.

Please direct any questions to Ann Schaffner at 916-323-7614 or <Ann.Schaffner@cdpr.ca.gov>.

Sincerely,



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