

Policy Concerning Use of Prohibited Containers as Service Containers for Pesticides

Date Established

September 5, 2006

Enclosure to

County Agricultural Commissioner Letter ENF 06-29

Introduction

The Department of Pesticide Regulation has developed the following policy to address the enforcement of Title 3, California Code of Regulations (3CCR) section 6680 relative to prohibited containers for pesticide service containers.

3CCR section 6680

3CCR section 6680 states, "In no case shall a pesticide be placed or kept in any container of a type commonly used for food, drink, or household products."

Application of this section

We must recognize that both the products listed in this section and pesticides are distributed in a wide variety of containers and some overlap of types is inevitable.

Prohibits use of empty containers

3CCR section 6680 prohibits end users from using empty containers that are readily identifiable or recognizable as food or beverage containers as pesticide service containers.

Generic containers

This section does not prohibit end users from using generic plastic or glass bottles, plastic bags, or similar containers (that have no identifiable food or beverage use labeling either printed or embossed) as service containers. Each service container must be properly labeled as a pesticide service container, pursuant to 3CCR section 6678.

Exception for farmers

The exception from labeling requirements for farmers using service containers on their own property does not apply to home, structural, or other uses nor does it apply to the restrictions on the kind of containers acceptable for use as pesticide service containers.

Does not apply to registrants

This section applies to pesticide users only. This section does not apply to pesticide registrants and their choice of packaging for their products.

Referrals

If you have any questions pertaining to this policy, please contact the Enforcement Branch Liaison assigned to your county.
