

6. Field Worker Training 3CCR § 6764

Scope: Fieldworkers in fields treated with any pesticide.

Employees assigned to work in treated fields must be trained before beginning work. Training is required once every five years. No documentation is required for fieldworker training. California accepts fieldworker training verification from other states. If the worker possesses a valid USEPA Training Verification Card (Blue Card) issued in another state, then the training requirement would be met.

Training must be in a manner the employee(s) understand and include the topics outlined in this regulation. Interview several of the workers and ask them about the training they received. Who trained them? When and where did the training occur? Do they know what field posting means? How they can be exposed to pesticides? Can they tell you some of the signs and symptoms of pesticide poisoning? Can they tell you how to get emergency medical care?

Verify that the trainer was qualified as described in 3CCR § 6764(e).

Exemptions:

- Granular baits, attractants, or repellants in traps applied in a field. (3CCR § 6760)
- Algaecides used to treat the irrigation system. (3CCR § 6760)
- Pesticides injected into plants. (3CCR § 6760)
- Applications by vector control agencies. (3CCR § 6760)
- Consumer products see 3CCR § 6720(e).

7. Application Specific Information 3CCR § 6761.1

Scope: For all pesticides.

- The operator of the property used for the commercial or research production of an agricultural commodity when fieldworkers (including contractor employees) will be working within ¼ mile of any treated field must provide an application specific information display (ASID). The ASID must remain displayed while there are treated fields and fieldworkers on the property
- The employer of fieldworkers in a treated field must provide a description of the location of the ASID at the worksite (in conjunction with the PSIS A-9) or at a central location where all fieldworkers gather before entering a field.

Determine the location of the ASID from the PSIS A-9 on site, by interviewing the workers and field supervisor, or by contacting the property operator. If the location description is not on site (or at a central location where all fieldworkers gather before entering a field) or the description is not adequate to allow you to find the ASID, mark this requirement, “NO”. Use your follow-up procedures to locate and evaluate the ASID.

Since inspections are only performed when workers are in treated fields, check “N/A” only if the field was treated exclusively with consumer products. See Exemptions below.

Inspect the ASID and determine if it is in compliance. Check this requirement “YES” or “NO” based on your evaluation of the display.

Possible reasons for not directly observing the application specific information display may include:

- Problems relating to the distance between the inspection site and the ASID.
- The ASID is located in another county.
- The inspector is unable to locate the ASID.

When the inspector is unable to inspect the ASID due to the reasons listed above, the inspector must verify compliance status through interviews with a representative number of fieldworkers and with the property operator (via phone if necessary). Whenever compliance or non-compliance is determined without direct observation of the display, the fact that the display was not observed and the details of how the status of compliance was determined must be explained in the “Remarks” section. Use this method of determining compliance only when direct observation of the ASID is unfeasible.

DPR encourages the CACs to work with property operators and adjacent CACs to minimize the number of fieldworker safety inspections that do not include direct observation of the application specific information display.

When evaluating the application specific information display, determine if the information is:
Displayed – The information should be available to fieldworkers to review with unimpeded access. It can be posted, in a binder, in a file cabinet or available in another manner. It must be made available in a place normally frequented by workers. The information is not displayed if workers must ask someone to see it. See 3CCR § 6000.

Complete – The display must contain the identity of the treated area, the time and date of the application, the REI, the pesticide name and active ingredient, and the EPA registration number.

Timely – The information must be displayed when the operator of the property receives notice of the completion of the application and remain displayed until the area is no longer a treated field or no fieldworkers will be working on the agricultural establishment.

Much of the information required can be made available using a cross- index. For example: The grower posts the field location, the date and time of the application and the pesticide name. The REI, active ingredient and EPA registration number are displayed in a separate index keyed by the pesticide name. Or the grower displays the field location, the date and time of the application and the pesticide name and displays copies of the labeling nearby which allow workers to determine the REI, active ingredient and EPA registration number.

If this requirement is in violation explain in the “Remarks” section the nature and circumstances of the violation. Example: “The application specific information was displayed and up to date but did not include the active ingredient. There were 12 applications displayed and none of the listings included the active ingredient.”

Exemptions:

- Consumer products see 3CCR § 6720(e).

8. Field Work During Pesticide Application 3CCR § 6762

Scope: An employee that is not involved in the application in an area being treated with any pesticide.

No employer shall direct or allow any person, other than the persons making the application to enter or remain in a treated area of a farm or forest during the application. See the chart at the end of this chapter for specific requirements for nurseries and greenhouses.

In open field situations (other than greenhouses and nurseries) persons not involved in an application must be outside the area being treated. You may wish to use the minimum distances stated in this regulation for greenhouses and nurseries or apply your judgment in assessing the circumstances. The applicator must also be in compliance with any labeling directions relative to drift or exposing workers and with 3CCR § 6614.

This inspection requirement would only be applicable if a pesticide application is taking place in the field (area) you are inspecting.

The following examples are provided to clarify the appropriate compliance documentation for this requirement:

- a) If there is no pesticide application occurring in the field (area) being inspected, check the “N/A” box.
- b) If a pesticide application involving granular baits, attractants, or repellants in traps is being made, or if algaecides are being used to treat the irrigation system, or if pesticides are being injected into plants, and person(s) are present, check the “NA” box.
- c) If a pesticide application is being made to the area you are inspecting, and person(s), other than the applicator, are not present in the treated area (and/or in compliance with nursery and greenhouse provisions), check the “YES” box.
- d) If a pesticide application is being made to the area you are inspecting, and person(s), other than the applicator, are present in the treated area (and/or not in compliance with nursery and greenhouse provisions), check the “NO” box.

Field Transplant Workers

Some agricultural practices involve transplants being planted concurrent with an at-plant pesticide application. These transplant operations usually are accomplished using one of the following two methods.

1. Manual transplanting where the employees plant the seedlings in advance of the spray rig, with the spray rig following behind and applying the pesticide. This method is permissible if:
 - The fieldworkers stay in front of the treated area and do not come in contact with pesticide treated surfaces (directly or through drift).
 - The employer complies with all fieldworker requirements including notification requirements.

Check “YES” for this requirement if the workers do not come in contact with the pesticide or any treated surfaces and the operation complies with all fieldworker requirements. Check “NO” if the fieldworkers are exposed to the pesticide.

2. Mechanical transplant/application where the equipment is a combination planting apparatus and application rig (transplant rig). Employees feed seedlings onto a planting arm or wheel that mechanically sets plants or set plants manually while at the same time a pesticide is applied.

In scenarios of this sort DPR considers the entire operation to be part of a “pesticide application process”. The workers are handlers and must be trained and equipped as handlers. The employer must comply with all handler requirements. It would be appropriate to perform a Pesticide Use Monitoring inspection but not a Fieldworker Safety inspection on this type of operation.

Exemptions:

- Granular baits, attractants, or repellants in traps applied in the field. (3CCR § 6760)
- Algaecides used to treat the irrigation system. (3CCR § 6760)
- Pesticides injected into plants. (3CCR § 6760)
- Applications by vector control agencies. (3CCR § 6760)
- Consumer products see 3CCR § 6720(e).

9. Field Entry after Pesticide Application 3CCR § 6770

Scope: Fieldworkers who enter fields on the date of a scheduled application of any pesticide or during the REI.

The operator of the property must not allow or direct any employee(s) to enter or remain in a treated field before the labeling and the regulatory REI has expired except under the conditions listed in this regulation. See the regulation for specific exceptions and prohibitions. The operator must have received the completion notice (3CCR § 6619) prior to allowing workers to enter a treated field.

The operator of the property must not allow or direct any employee(s) to enter a treated field on the date of the scheduled application unless they can assure that the application has not occurred and will not occur when workers are in the field.

When labeling contains multiple activity-based REIs, the longest REI applies to the standards required in 3CCR § 6770. See also regulations that establish REI’s including 3CCR § 6772, 6774, and 6450-6489.

Ask early-entry fieldworkers how long they have worked in the REI field. Employees may not work more than 8 hours per day performing limited contact activities or more than one hour per day performing high contact activities.

Are workers wearing the required PPE? The minimum regulatory required PPE for employees listed in 3CCR § 6770(d)(3) and (4) will usually be more protective than labeling required PPE. Workers entering restricted fields for no contact activities when no contact is achieved through the use of a rig or vehicle must have the required PPE immediately available.

Note: When an REI is on the pesticide product labeling, owners and their immediate family members (see Volume 8, Section 6.18 of the Compendium) must follow the early entry time restrictions specified in this regulation for early entry activities. They must also wear the labeling required early entry PPE, and follow any other restrictions specified in pesticide labeling for early entry. In case of a violation by an owner, property operator or family member, check “N/A” for this regulation but check “NO” for Requirement 13, FAC § 12973 and explain in “Remarks”. See “Application of standards” on page 6.

After the labeling REI has expired and an extended REI is in effect per 3CCR § 6772, workers must wear long-sleeve, long-leg work clothing, shoes, socks and gloves.

Exemptions:

- Granular baits, attractants, or repellants in traps applied in a field. (3CCR § 6760)
- Algaecides used to treat the irrigation system. (3CCR § 6760)
- Pesticides injected into plants. (3CCR § 6760)
- PCAs or professional foresters and their employees performing crop adviser tasks. (3CCR § 6720)
- Consumer products see 3CCR § 6720(e).

10. Early Entry Requirements 3CCR § 6771

Scope: Employees in fields treated with any pesticide during a restricted entry interval.

When labeling contains multiple activity-based REIs, the longest REI applies to the standards required in 3CCR § 6771. If workers are performing early entry activities involving contact with anything that has been treated, including soil, water, air, and plant surfaces, confirm that the employer provided labeling required PPE to the early entry workers and that it is being used appropriately.

Ask fieldworkers if they are familiar with labeling requirements related to human hazards or precautions; first-aid; symptoms of poisoning; PPE; exposure prevention; recognition and first-aid for heat-related illness; and importance of washing thoroughly at the end of the work shift.

For limited contact activities and high contact activities inspect the area where they remove their PPE. This area must have decontamination facilities. Ask the workers where they store their personal clothing. Determine if the decontamination facility has adequate water, soap and clean or single-use towels. Determine if the pesticide applied required eye protection for early entry workers. If so, verify that each early-entry worker is carrying one pint of water for emergency eye-flushing.

Exemptions:

- Granular baits, attractants, or repellants in traps applied in a field. (3CCR § 6760)
- Algaecides used to treat the irrigation system. (3CCR § 6760)
- Pesticides injected into plants. (3CCR § 6760)
- Consumer products see 3CCR § 6720(e).

11. Posting Compliance 3CCR § 6776

Scope: The operator of the property is responsible to post fields treated with any pesticide during the REI when:

- The pesticide labeling requires posting.
- The application results in a REI greater than seven (7) days.
- Danger or minimal exposure pesticides are applied through an irrigation system.
- Any application is made in a greenhouse. Posting can be of the entire greenhouse or of the treated area. Space treatments require posting the entire greenhouse.
- A fumigant is applied to a field.

The property operator shall post signs to warn employees and others against entry during a specified time-period. The property operator must post the field(s) prior to the application. Check signs for legibility, format, accuracy and proper placement.

The property operator must:

- Post prior to the application, but not more than 24 hours before the application begins.
- Post signs that are visible at all usual points of entry to the treated area and post signs every 600 feet along side of field if adjacent to an unfenced public right of way.
- Leave signs in place throughout the application and REI.
- Remove signs within three (3) days after the end of the REI.

Posting signs and lettering must conform to the specification found in this regulation.

Exemptions:

- If access is controlled into a treated field or greenhouse. (This exemption applies only to labeling required posting and greenhouse applications. It does not apply to fumigations, chemigation applications or when the REI is greater than 7 days).
- Granular baits, attractants, or repellants in traps applied in a field. (3CCR § 6760)
- Algaecides used to treat the irrigation system. (3CCR § 6760)
- Pesticides injected into plants. (3CCR § 6760)
- Applications by Vector Control Agencies. (3CCR § 6760)
- Consumer products see 3CCR § 6720(e).

12. Greenhouse Ventilation Criteria 3CCR § 6769

Scope: The operator of the property is responsible to assure that no workers or other employees enter a greenhouse after any pesticides whose labeling requires respiratory protection is applied; or after any pesticide is applied as a fumigant, smoke, mist, fog, or aerosol before the criteria have been met.

When pesticides whose product labeling requires respiratory protection are applied by any method in a greenhouse, or when any pesticide is applied as a fumigant, smoke, mist, fog, or aerosol inside a greenhouse, employers must make sure that adequate ventilation has occurred before they allow workers to enter that greenhouse. In order to check this requirement you must know what was applied and the pesticide labeling requirements.