Reducing Smog-Producing Emissions from Nonfumigant Pesticide Products

Pest Control Dealer Fact Sheet

General Information

Beginning November 1, 2013, regulations by the Department of Pesticide Regulation (DPR) to cut smog-producing emissions of volatile organic compounds (VOCs) from pesticides go into effect. These regulations reduce VOC emissions from certain nonfumigant pesticide products (Title 3, California Code of Regulations, sections 6558, 6577, 6880, 6881, 6883, 6884, and 6886). The regulations are designed to keep VOC emissions below a target level from May to October in the San Joaquin Valley. Designated high-VOC products have restrictions on sales and use.

Sales restrictions apply to:

- High-VOC products containing abamectin, chlorpyrifos, gibberellins, or oxyfluorfen; and
- Applied in San Joaquin Valley.

Use restrictions apply to:

- High-VOC products containing abamectin, chlorpyrifos, gibberellins, or oxyfluorfen; and
- Applied in San Joaquin Valley; and
- Applied between May 1 and October 31; and
- Application to alfalfa, almonds, citrus, cotton, grapes, pistachios, or walnuts.

What are volatile organic compounds (VOCs)?
VOCs are gases that can combine with other substances in the air to form ground-level ozone (smog). Ozone can damage lung tissue, cause respiratory illness, and harm farm crops. Statewide, pesticides account for about two percent of all VOCs but in several regions they are among the top ten sources.

What is a high-VOC product?
As described in section 6880, the regulations apply to certain products containing abamectin, chlorpyrifos, gibberellins, or oxyfluorfen. Products containing these four active ingredients are designated as either high-VOC, low-VOC, or excluded from the regulations. VOC requirements pertain only to high-VOC products. For the specific criteria for designating high-VOC products, and list of products, go to www.cdpr.ca.gov, click on “A-Z Index,” then “VOC nonfumigant regulations.”

What is the area affected?
For these regulations, the San Joaquin Valley includes all of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare counties and the valley portion of Kern County. Pesticide VOC emissions in the San Joaquin Valley are not consistently low enough to meet the reduction goal, so further control measures are needed. Pesticide VOC emissions in other areas consistently achieve the needed reductions.

Why are these products and crops regulated?
DPR included products containing these four active ingredients and applications to these seven crops because the inert ingredients in these products and their application to these crops are among the highest pesticide VOC contributors in the San Joaquin Valley. Additionally, DPR has determined that use of low-VOC products for these pesticides and crops are feasible and will ensure that the needed VOC reductions will be achieved.

Pest Control Dealer Requirements

Which pest control dealers are affected?
As described in sections 6577 and 6886, licensed pest control dealers selling designated high-VOC products containing abamectin, chlorpyrifos, gibberellins, or oxyfluorfen for agricultural use in the San Joaquin Valley are affected.

What are pest control dealers required to do?
1. Determine whether a sale includes products designated high-VOC for agricultural use. If a customer is not purchasing any of these products for agricultural use, you do not need to take any further action. For a list of specific pesticide products designated as high-VOC, go to www.cdpr.ca.gov, click on "A-Z Index," then "VOC nonfumigant regulations."

2. When selling designated high-VOC products for agricultural use, check the Operator ID or Restricted Materials Permit Number of the purchaser to ascertain if it was issued by a county agricultural commissioner (CAC) within the San Joaquin Valley. The first two digits of the Operator ID or Permit identify the issuing county. San Joaquin Valley counties include Fresno (10), Kern (15), Kings (16), Madera (20), Merced (24), San Joaquin (39), Stanislaus (50), and Tulare (54). If the Operator ID or Permit was issued by a CAC located outside of the San Joaquin Valley, you do not need to take any further action.

3. If the Operator ID or Restricted Materials Permit was issued by a county agricultural commissioner within the San Joaquin Valley, the dealer must provide in writing (at the time of purchase or delivery) the following information to the purchaser:

> "High-volatile organic compound nonfumigant products containing abamectin, chlorpyrifos, gibberellins, or oxyfluorfen as a primary active ingredient are subject to additional use restrictions during May 1 through October 31 when used in the San Joaquin Valley ozone nonattainment area on the following crops: alfalfa, almond, citrus, cotton, grape, pistachio, and walnut. Use prohibitions that may apply are found in Title 3, California Code of Regulations, section 6884. The operator of the property must obtain a written recommendation of a licensed pest control adviser prior to use on these crops during this time period."

For auditing purposes, pest control dealers must indicate on the invoice that the above information was provided.

When are the pest control dealer requirements in effect?
The requirements for pest control dealers become effective on November 1, 2013, and are in effect year-round.

Additional Information – Contact Person

Additional information is available at DPR's website: www.cdpr.ca.gov. Click on "A-Z Index" then "Volatile Organic Compound Emissions from Pesticides Project."

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