

Appendix F: FOCUSED GROWERS' HEADQUARTERS INSPECTION

From August to December 2014, scientists from DPR conducted focused growers' headquarters inspections to further evaluate the Program. These inspections were intended to:

- Evaluate the grower's awareness of, and compliance with, the Program.
- Evaluate the grower's understanding of his or her role, and responsibilities as an employer in the Program.
- Identify medical supervisors contracted by the grower.



Figure F1: County distribution of DPR's three regional offices.

DPR used the Pesticide Use Reporting database to identify, at minimum, two counties from each of DPR's three regional offices (Figure F1) that used the most OP/CB from 2010 to 2012. Some County Agricultural Commissioner's (CAC) offices provided additional data on the use of OP/CB applied in their counties in 2013 and 2014. Seven counties were identified for inspections: Butte, San Joaquin, Tehama, Fresno, Tulare, Imperial, and San Diego. Seventy-five percent (75%) of the growers within these counties who use OPs/CBs (identified thru the PUR database) were randomly selected for a headquarters inspection. The regional distribution of the inspected growers is shown in Figure F2. The inspections included interviews and review of records retained by growers. A questionnaire was used to standardize the interviews and to focus on key areas of the Program (see page 106).

Observations were recorded as:

- **In COMPLIANCE** (if the regulatory requirement was met by the grower),
- **NOT in COMPLIANCE** (if the regulatory requirement was NOT met by the grower),
or
- **NOT REQUIRED** (if the grower did not meet the criteria for "regularly-handling" OP/CB)

Results of the Focused Headquarters Inspection

Of 83 growers who reportedly used OPs/CBs, 71 (86%) were confirmed to have used these pesticides. The remaining 12 growers were found to have erroneously reported OP/CB use. Of the 71 growers, 26 (37%) had employees that met the Program criteria for regularly handling OPs/CBs. These growers were required to have a medical supervision program (Figure F2).

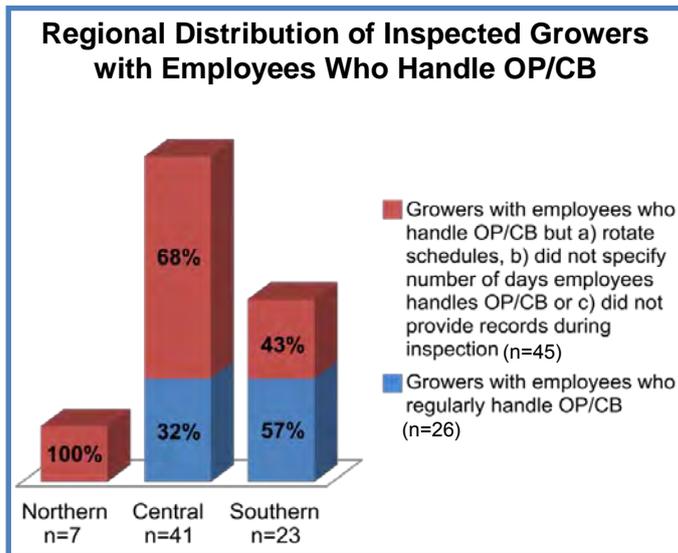


Figure F2: Number of growers with employees who handle OP/CB by region. “Regularly handle” is defined as handling pesticides more than six days in any 30-day period.

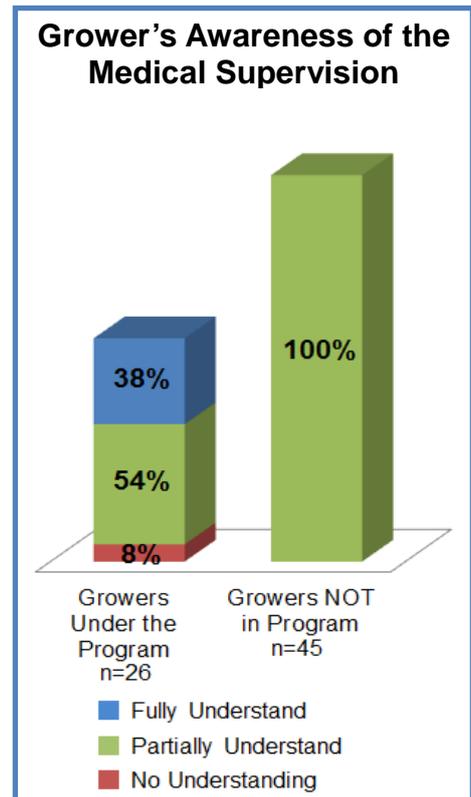


Figure F3: Grower’s level of understanding of the Program. (n=71)

The headquarters inspections focused on the compliance of the growers to specific aspects of 3CCR §6728. Over half of the growers inspected were familiar with the Program but had varying levels of understanding of the specific requirements (Figure F3).

We limited our analysis to the 26 growers that had employees who regularly handled OP/CBs. Of these, 24 (92%) were aware of the Program (Figure F4).

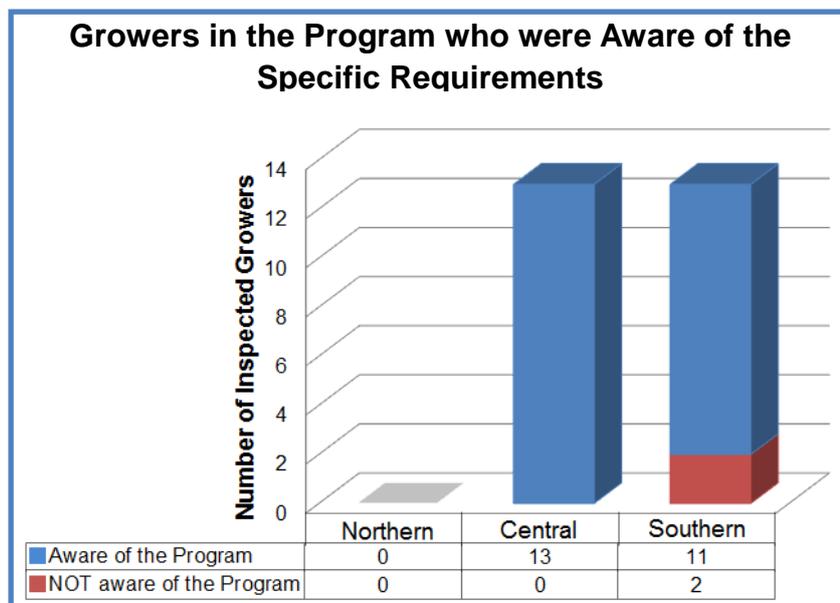


Figure F4: Number of growers that are in the Program who were aware of the specific requirements by region. (n=26)

There were 45 growers whose employees did not meet the Program criteria:

- Forty-four (98%) growers had employees who worked with OP/CB but did not meet the criteria for regularly handling these pesticides.
 - ❖ Twenty seven (62%) growers were from the central region and indicated that they put their handlers on a rotation schedule to limit the number of days a handler worked with OP/CBs to less than six days in a 30 day period.
 - ❖ Ten (23%) growers were from the southern region and seven (16%) from the northern region indicated that they did not have employees who regularly handled OPs/CBs. These growers did not specify the actual number of days their employees worked with OP/CBs.
- Only one (2%) grower explicitly stated that none of his employees regularly handled OP/CBs.

The Program requires employers to retain copies of the medical supervisor agreement and their recommendations, the employee's use records, and the ChE test results. In addition, employers are also required to investigate employee's work practices and modify their work activities if his/her ChE test results meet or exceed action levels.

- A majority of the 26 employers (58%, n=15) had the written agreement with the medical supervisor at their office (Figure F5).
- Ten (38%) provided the CAC a copy of the agreement (Figure F6).
- Eleven (42%) retained employee ChE test results and medical supervisor recommendations (Figure F7).

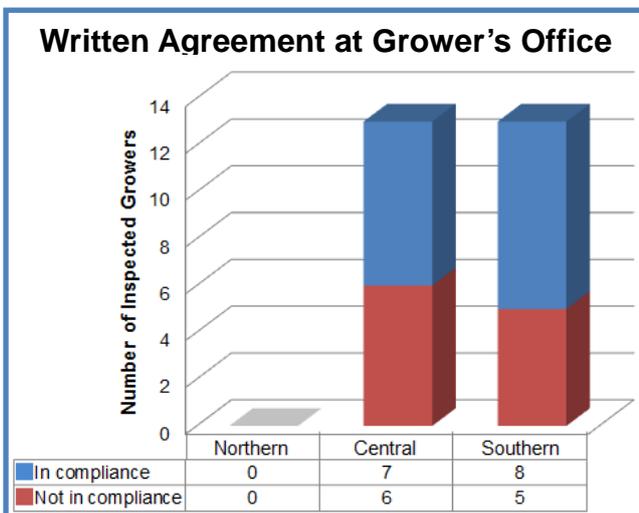


Figure F5: Number of growers in the Program who had a copy of written agreement with a medical supervisor in the office. (n=26)

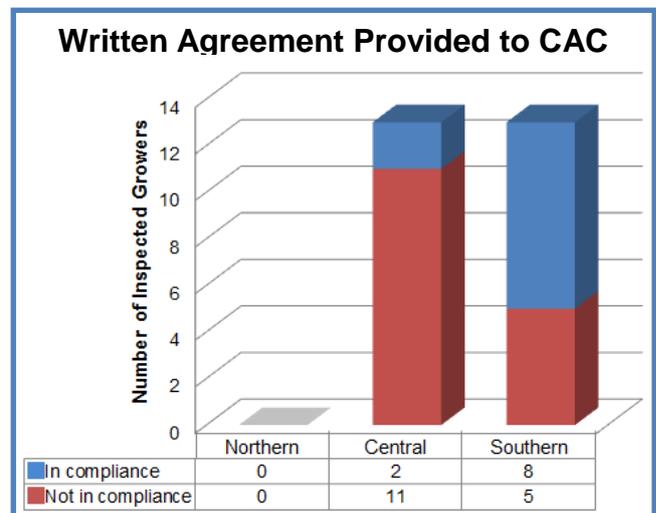


Figure F6: Number of growers in the Program who provided a copy of written agreement with a medical supervisor to CAC. (n=26)

The Program is designed to assist the employer in protecting the worker from excessive exposure to OPs/CBs. When an employee's RBC or plasma ChE level meet or exceed the action threshold ($\geq 20\%$ for both RBC and plasma ChE depression from baseline), the employer is required to investigate the employee's work practices and modify their work activities until his/her ChE test results are above 80% of baseline levels.

- One grower (4%) had an employee whose ChE results were below the threshold (Figure F8). This grower was notified by the medical supervisor that his employee's ChE test results were physiologically low. The grower not only investigated the employee's work practices but also modified the employee's work duties. We do not know this employee's handling history or previous ChE test results.
- The remaining 25 growers (96%) had employees who had their ChE measured but since their ChE levels results were within normal range, no further action was required (Figure F8).
- A majority of the growers (65%, n=17) indicated that they inform their employees of their ChE test results (Figure F9).

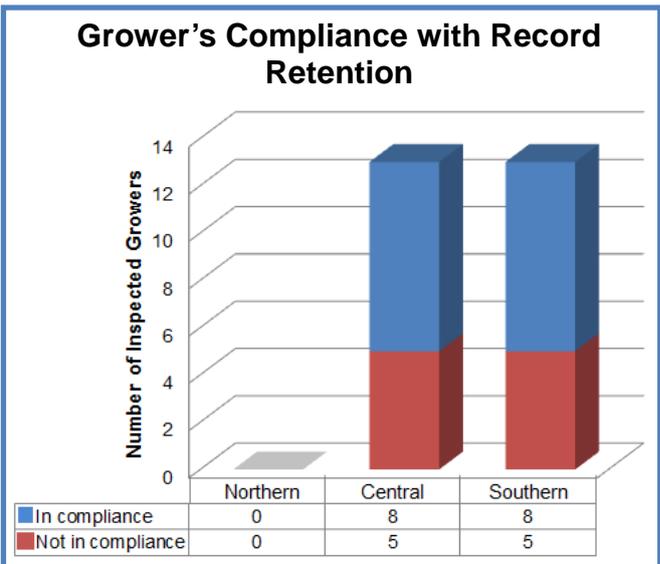


Figure F7: Number of growers in the Program who retained employee's ChE test results and medical supervisor recommendations. (n=26)

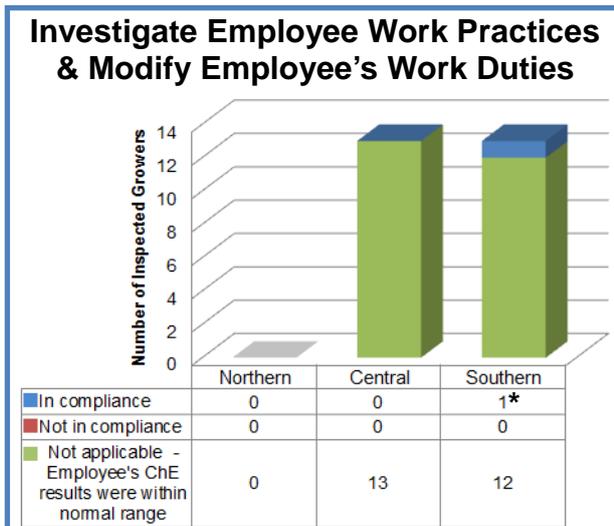


Figure F8: Number of growers in the Program who investigated employee work practices and modified employee's work duties based on recommendation from medical supervisor. (n=26)

* - This employee's ChE test results were physiologically low.

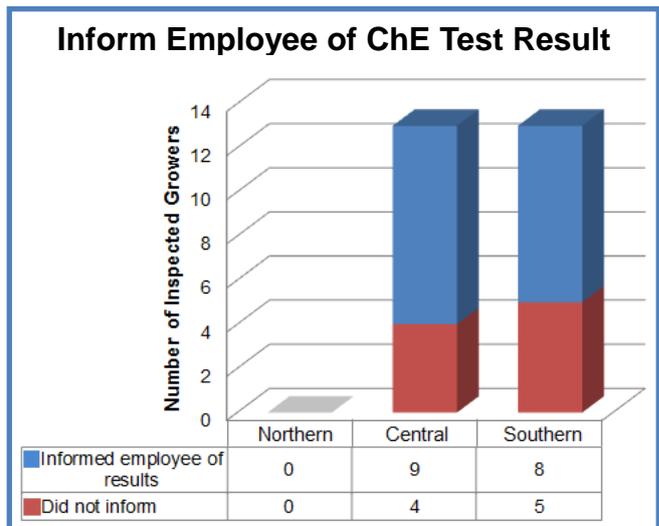


Figure F9: Number of growers in the Program who informed employee of his/her ChE test results. (n=26)

Summary of Findings of the Focused Growers' Headquarter Inspections

Finding 1- Nearly all of the growers (92%, n=65) inspected indicated they have heard of the Program. However, improvements can still be made to increase their awareness of the Program. Growers under the Program were either fully or partially aware of the Program. Those not in the Program, may not fully understand the intent of the Program. Some growers

did not have employees who regularly handle OPs/CBs, but followed some of the Program requirements. Three of these growers contracted with a medical supervisor. Another grower said that his employees' baseline ChE levels were obtained every two years. One grower has his employees tested every 30 days. Another grower, who was not aware of the Program, stated that he would immediately send his employees for ChE testing following the headquarters inspection. This grower did not have employees who regularly handled OP/CBs.

Finding 2- Although most of the growers in the Program were aware of the Program, they may not fully understand some of its specific requirements. These requirements include having copies of the medical supervision agreement in their office and with the CAC, and record retention. Seven growers did not keep employee records while one grower said that he had moved his records to another location and could not locate them. One grower stated that their handlers also work at another farm which they own but could not provide the employee's schedule at the other farm.

Growers stated that their medical supervisor provides them with an interpretation of the ChE results. Most growers indicated that they inform their employees of their test results despite not being a Program requirement. However, one grower stated that he only informs an employee of his/her ChE test results if asked for it. Another grower, who said that he had difficulty obtaining the ChE test results from the medical supervisor, assumed that if he did not hear from the medical supervisor, this meant his employee's ChE levels were within normal range.

Finding 3- We are unable to identify all medical supervisors in California. We assumed that the ChE results from the laboratories would give us the names of active medical supervisors beginning in 2011. The focused headquarters inspections generated names of 20 medical supervisors. Eighteen of the 20 names were already on our list of licensed physicians who had been mailed a Medical Supervisor Survey. Fifteen of these physicians were already confirmed Medical Supervisors via our survey. We called the remaining three physicians who were sent a survey but did not respond: one indicated he had retired; one indicated he did not know if he was a medical supervisor although said he sees agricultural workers; and, one did not respond to our calls. The focused headquarters inspection yielded only two new medical supervisors located in the central and southern regions.

Focused Growers' Headquarters Inspection Form, 2014

DPR MEDICAL SUPERVISION SURVEY Employer Requirements

Reference Number: _____ Interviewer(s): _____

County: _____ Date: ____/____/____ Interview Type** : _____

Firm/Person: _____ Grower ID/Bus. Lic. No. _____

Company Type: Pest Control Business / Grower Person Interviewed: Employer / Employee
(circle one) (circle one)

Pesticide(s) used: _____

Name of Medical Supervisor: _____

Name/Address of Medical Facility: _____

	Observations	Status*	Remarks
1.	Use records retained / 3 years [3 CCR 6728(a)].		
2.	Drs. Agreement available at the employer's location and contains all the required information / 3 years [3 CCR 6728(b)].		
3.	Drs. Agreement available at CAC's office [3 CCR 6728(b)].		
4.	Records: Items 1 & 2 plus Med. Sup recommendations & records of test dates for each employee tested / 3 years [3 CCR 6728(c)].		
5.	Medical supervision posting [3 CCR 6728(c)(5)].		
6.	Employees are informed of ChE test results (describe in remarks***).		
7.	Employer follows the recommendations made by medical supervisor 3CCR § 6728(c)(4) (describe in remarks***).		
8.	Employer investigates the work practices when employee test results are below threshold [3 CCR 6728(d)] (describe in remarks***).		
9.	Employees are removed from exposure to ChE pesticides when test results are below the threshold [3 CCR 6728(e)].		
10.			

Remarks:

*Status Indicators

C - in compliance N - not in compliance O - not observed X - not required

** Interview Type 1) HQ Inspection, 2) On-site visit (interview only), 3) Other

*** Use additional sheet(s) as necessary.