



# Department of Pesticide Regulation



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WHS 03-07

TO: COUNTY AGRICULTURAL COMMISSIONERS  
SUBJECT: PESTICIDE SAFETY INFORMATION SERIES

In late June 2003, WHS sent the revised Pesticide Safety Information Series (PSIS) to each agricultural commissioner, DPR's Enforcement Branch, and worker advocates for review. Based on input from all of these entities, WHS staff have made additional revisions. These revised leaflets will be posted for public comment in September. Each agricultural commissioner's office will be notified of the posting and may request copies for review. If you wish, you may provide additional comments during the 45-day comment period.

WHS received comments from thirteen counties. We appreciate the considerable time and effort expended by commissioners and their staff in reviewing the documents. WHS staff considered all comments and suggested revisions and made numerous revisions based on the input. Other comments, though mentioned by several counties, did not result in revision. These comments, along with our reasoning for not making changes, are listed below.

- There were several questions about the criteria used for dividing agricultural vs. non-agricultural PSIS. The PSIS are divided between agricultural and non-agricultural leaflets based on the definition of 'agricultural commodity' found in 3 CCR, Section 6000 and the definition of 'agricultural establishment' found in 40 CFR, Section 170.3. The major difference is that the Worker Protection Standards (WPS) apply to workers involved in the production of an 'agricultural commodity' (and explained in PSIS A series), but not to other workers exposed to pesticides (PSIS N Series). In California, the differences are fairly small, but there are different requirements that apply.
- A few counties remarked that a label without a signal word could not be a pesticide label. The U.S. Environmental Protection Agency announced in the Federal Register: December 14, 2001, that effective February 12, 2002, products in Toxicity Category IV would no longer be required to bear a signal word.
- Several counties questioned the removal of forms (such as the respiratory protection program form in A-5) from the PSIS documents. Part of the PSIS simplification process includes removing those portions of the leaflets that are employer compliance assistance. WHS and Enforcement have agreed that WHS will provide outreach materials for employees and the Enforcement Branch will provide compliance assistance materials for employers. WHS considers these forms to be employer compliance assistance.

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- County staff noted a few instances where statements in the PSIS did not include all of the information in regulation(s) for a specific topic. These safety leaflets are not intended to be used as regulatory documents. Their purpose is to give the agricultural worker as much pesticide-related safety information as possible without becoming mired down in regulatory language. In this revision, we chose simplicity over completeness. In doing so we reduced the grade level of the documents from about 12<sup>th</sup> grade to 4<sup>th</sup> and 5<sup>th</sup> grade. Regulatory language is inherently complex. Simplification of regulations naturally loses some of the detail, but if we can get the basic concept across, we believe it will help improve worker safety.
- WHS staff decided to delete PSIS A-6 and N-6 since the information covered in these leaflets is found in other leaflets in the series, primarily A-1, A-8, and A-9. If this type of document would be useful to employers, you might consider forwarding that request to the Enforcement Branch.
- A few counties suggested retaining “hazard communication” as part of the titles of A-8, A-9, and N-8. If hazard communication were retained as part of the title, the term would have to be defined elsewhere in the document since it is not a commonly used phrase among agricultural workers. We chose to simplify the documents and tell them what they need to know, not what hazard communication is. WHS has revised the note to employers on the front page of these leaflets. It now advises employers that the leaflet is the hazard communication document. We will consider making a regulation change to clarify this point at a later date.

Thank you again for your valuable input. If you have any further comments or questions, please contact Susan McCarthy of my staff at (916) 445-6387 or [smccarthy@cdpr.ca.gov](mailto:smccarthy@cdpr.ca.gov).

Sincerely,

[ORIGINAL SIGNED BY C. ANDREWS]

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