



Department of Pesticide Regulation

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Governor

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MEMORANDUM

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TO: Kevin Solari
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HSM-21003

FROM: Emma R. Colson, MS, CIH *(original signed by E. Colson)*
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SUBJECT: CLARIFYING THE MEANING OF “COMPARABLE LANGUAGE” IN TITLE 3
SECTION 6746, CLOSED MIXING SYSTEM REQUIREMENTS

In 2016, the California Department of Pesticide Regulation (DPR) updated the Closed Mixing Systems (CMS) requirements in Title 3, California Code of Regulations (3 CCR), section 6746. The regulation requires that an appropriate CMS be selected based on the degree of dermal toxicity of a pesticide. The degree of toxicity dictates if the CMS is “Tier 1” or “Tier 2.” As specified in 3 CCR section 6746 (c), a Tier 2 CMS must be used when the pesticide product bears the statement “Corrosive, causes skin damage” or “*other comparable language*” (emphasis added).

DPR’s Worker Health and Safety Branch (WHS) recognizes the following definition of corrosive: “1. A chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact. 2. A chemical that causes necrosis of biological tissue.” (DiNardi, 1997, p. 1295). Given this definition, the following terms that describe tissue-damaging effects will trigger a Tier 2 CMS requirement: corrosive, burn, blister, injure, destroy, corrode, dissolve, or other terms, phrases, or words inferring the same irreversible dermal effect.

The term “irritating” does not trigger, in and of itself, a CMS requirement. WHS recognizes the following definition of irritant: “A chemical, which is not corrosive, that causes a reversible inflammatory effect on living tissue by chemical action at the site of contact.” (DiNardi, 1997, p.1311).

The CMS requirement is intended to protect workers from dermal exposure to pesticides. Therefore, the phrase “Corrosive, causes eye damage” or other comparable language relating solely to ocular tissue, will not, in and of itself, trigger a CMS requirement.

REFERENCE

DiNardi, S. R. (Ed.). (1997) *The Occupational Environment – Its Evaluation and Control*.
American Industrial Hygiene Association.