

CALIFORNIA CODE OF REGULATIONS
Title 3. Food and Agriculture

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**Article 1. Definitions for Division 6
Section 6000**

6000. Definitions.

“Agricultural commodity” means an unprocessed product of farms, ranches, nurseries, and forests (except livestock, poultry, and fish). Agricultural commodities include fruits and vegetables; grains, such as wheat, barley, oats, rye, triticale, rice, corn, and sorghum; legumes, such as field beans and peas; animal feed and forage crops; rangeland and pasture; seed crops; fiber crops such as cotton; oil crops, such as safflower, sunflower, corn, and cottonseed; trees grown for lumber and wood products; nursery stock grown commercially; Christmas trees; ornamentals and cut flowers; and turf grown commercially for sod.

“Air-purifying respirator” means a respirator with an air-purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the air-purifying element.

“Application block” means a field or portion of a field treated in a 24-hour period that typically is identified by visible indicators, maps, or other tangible means.

“Applied to the soil” or **“applied to the ground”** means the labeling of a pesticide product includes terminology such as:

- (a) Soil fumigant;
- (b) Soil applied;
- (c) Soil treatment product;
- (d) Can be used as a soil drench;
- (e) Application to soil;
- (f) Inject into the soil;
- (g) Incorporate in top (x) inches of soil; pre-plant incorporation;
- (h) Use on soil for control of soil-borne diseases;
- (i) Surface application; band treatment, surface blend;
- (j) Side dressing both/one side of row and cultivate into soil;
- (k) Should be mixed uniformly into top (x) inches of soil;
- (l) Pre-emergent to the weed;
- (m) Broadcast to the soil; and
- (n) Apply in seed furrow.

“Aquatic habitat” means bodies of water, such as lakes, reservoirs, rivers, perennial and intermittent streams, wetlands, or ponds, sloughs, and estuaries.

“Artificial recharge basin” means a surface facility, such as an infiltration pond or basin, or spreading ground specifically designed and managed to increase the infiltration of introduced surface water supplies into a ground water basin. "Artificial recharge basin" does not include ditches, canals, or reservoirs designed primarily to transport and store water, or stream channels, lakes, and other naturally occurring water bodies that are not principally managed to recharge ground water.

“Atmosphere-supplying respirator” means a respirator that supplies the respirator user with breathing air from a source independent of the ambient atmosphere, and includes supplied-air respirators (SAR) and self-contained breathing apparatus (SCBA) units.

“Branch location” means any location, other than the principal place of business, operated by a pest control dealer or agricultural pest control business to carry out licensed activities in California.

“Buffer zone” as used in sections 6447, 6447.1, 6447.2, and 6447.3 means an area that surrounds a pesticide application block in which certain activities are restricted for a specified period of time to protect human health and safety from existing or potential adverse effects associated with a pesticide application.

“Carbamates” means esters of N-methyl carbamic acid which inhibit cholinesterase.

“Certified commercial applicator” means

- (a) A person holding a valid qualified license issued by the director;
- (a) A pilot holding a valid journeyman pest control aircraft pilot's certificate issued by the director;
- (c) A person holding a certified technician certificate issued by the Vector Biology and Control Section of the Department of Health Services;
- (d) A person holding a valid structural pest control operator or field representative license issued by the Structural Pest Control Board of the Department of Consumer Affairs; and
- (e) A person holding a valid qualified applicator certificate by the director.

“Certified private applicator (PAC)” means a private applicator holding a valid private applicator certificate issued by the commissioner (or the director in any county where there is no commissioner).

“Chemical-resistant” means a material that allows no measurable movement of the pesticide through it during use.

“Chemigation” means the application of pesticides through irrigation systems.

Article 1. General Provisions
Sections 6145-6168

6145. Intended to be Used.

A substance is considered to be "intended to be used," as the phrase is used in Sections 12753 and 12758 of the Food and Agricultural Code, and thus be a pesticide requiring registration, when:

(a) A person who distributes or sells the substance claims, states, or implies, by labeling or otherwise, that:

(1) The substance, either by itself or in combination with any other substance, can or should be used as a pesticide; or

(2) The substance consists of or contains an active ingredient and can be used to manufacture a pesticide; or

(b) A person who distributes or sells the substance has actual or constructive knowledge that the substance will be used, or is intended by the user to be used, as a pesticide; or

(c) The substance consists of or contains one or more active ingredients and has no significant commercially valuable use as distributed or sold other than:

(1) Use as a pesticide, by itself or in combination with any other substance; or

(2) Use in the manufacture of a pesticide.

NOTE: Authority cited: Section 12781, Food and Agricultural Code.

Reference: Sections 12753 and 12758, Food and Agriculture Code.

6146. Liquid Chemical Sterilants.

(a) For purposes of this section, a "critical medical device" is any device that is introduced directly into the human body, either into or in contact with the bloodstream or normally sterile areas of the body, and a "semicritical medical device" is any device that contacts intact mucous membranes but which does not ordinarily penetrate the blood barrier or otherwise enter normally sterile areas of the body.

(b) Manufacturers of, importers of, and dealers in liquid chemical sterilant products (including any such products with subordinate disinfectant claims) intended for use on critical or semicritical medical devices (as device is defined in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. sec. 321), are exempt from the requirements of Division 7 of the Food and Agricultural Code, providing the following criteria are met:

(1) The product is not included in the federal definition of a pesticide under subdivision (u) of section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. sec. 136(u)].

(2) The product has premarket clearance from the Federal Food and Drug Administration under section 510(k) of the Federal Food, Drug, and Cosmetic Act [21 U.S.C. sec. 360(k)].

(3) The product does not include ethylene oxide as an active ingredient.

(c) Whenever the manufacturer of, importer of, or dealer in any exempted liquid chemical sterilant has factual or scientific information of any adverse effect or risk to human health or the environment that has not previously been submitted to the department, the manufacturer, importer, or dealer shall report the information to the department within 60 days of learning of the information.

(d) Physicians, surgeons, and local health officers remain subject to the illness reporting requirements of Health and Safety Code section 105200 with regard to exempted liquid chemical sterilants.

NOTE: Authority cited: Section 12804, Food and Agricultural Code.
Reference: Section 12804 Food and Agricultural Code.

6147. Exempted Pesticide Products.

(a) Manufacturers of, importers of, and dealers in the following pesticide products or classes of pesticide products are exempt from the requirements of Division 7 of the Food and Agricultural Code, provided the pesticide products are exempt pursuant to section 25(b)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act [7 U.S.C. sec. 136w(b)(2)]:

(1) Pheromones and identical or substantially similar compounds labeled for use only in pheromone traps (or labeled for use in a manner which the Director determines poses no greater risk of adverse effects on the environment than use in pheromone traps), and pheromone traps in which those compounds are the sole active ingredient(s), as specified in 40 Code of Federal Regulations 152.25(b).

(2) Preservatives for biological specimens, including:

(A) Embalming fluids;

(B) Products used to preserve animal or animal organ specimens, in mortuaries, laboratories, hospitals, museums and institutions of learning; and

(C) Products used to preserve the integrity of milk, urine, blood, or other body fluids for laboratory analysis.

(3) Products consisting of foods that are used to attract pests and which contain no active ingredient(s).

(4) (A) Natural cedar blocks, chips, shavings, balls, chests, drawer liners, paneling, and needles that meet all of the following criteria:

1. The product consists totally of cedar wood or natural cedar.

2. The product is not treated, combined, or impregnated with any additional substance(s).

3. The product bears claims or directions for use solely to repel arthropods other than ticks or to retard mildew, and no additional claims are made in sale or distribution. The labeling must be limited to specific arthropods, or must exclude ticks if any general term such as "arthropods," "insects," "bugs," or any other broad inclusive term is used.

(B) The exemption does not apply to natural cedar products claimed to repel ticks. The exemption also does not apply to cedar oil, or formulated products, which contain cedar oil, other cedar extracts, or ground cedar wood as part of a mixture.

(5) (A) Products containing the following active ingredients alone or in combination with other substances listed in paragraph (5)(A), provided that all the criteria specified in paragraphs (5)(C) and (5)(D) are met:

6190. Copper-based Antifouling Paints and Coatings.

(a) Each applicant to register a copper-based antifouling paint or coating shall submit the daily mean copper release rate for the product using the International Organization for Standardization (ISO) method 10890:2010, "Paints and varnishes – Modelling of biocide release rate from antifouling paints by mass-balance calculation," hereby incorporated by reference, and supporting data used for the calculation.

(b) Using the rate and data provided pursuant to (a) of this section and a correction factor of 2.9, the Director will calculate an adjusted daily mean copper release rate to account for environmental conditions.

(c) The provisions in this subsection pertain to copper-based antifouling paint or coating products except when labeled for commercial vessel use only or prohibited from use on recreational vessels. For the purposes of this subsection, "recreational vessel" means any vessel manufactured or used primarily for pleasure or leased, rented, or chartered to a person for the person's pleasure, and/or used as a residence. "Commercial vessel" means any private, commercial, government, or military marine vessel that does not otherwise meet the definition of recreational vessel, including, but not limited to, passenger ferries; excursion vessels; tugboats; ocean-going tugboats; towboats; push-boats; crew and supply vessels; work boats; pilot vessels; supply boats; fishing vessels; research vessels; U.S. Coast Guard vessels; hovercraft; emergency response harbor craft; and barge vessels.

(1) Effective July 1, 2018, no copper-based antifouling paint or coating shall be registered that exceeds the adjusted daily mean copper release rate of 9.5 micrograms per square centimeter per day, as determined by the Director pursuant to (b) of this section.

(2) Effective July 1, 2018, any currently registered copper-based antifouling paint or coating that exceeds the adjusted daily mean copper release rate of 9.5 micrograms per square centimeter per day, as determined by the Director pursuant to (b) of this section, will be subject to cancellation pursuant to Food and Agricultural Code section 12825.

NOTE: Authority cited: Sections 11456, 12781 and 12976, Food and Agricultural Code.

Reference: Sections 12824, 12825 and 14102, Food and Agricultural Code.

6191. Volatile Organic Compounds.

The director, after consultation with the Air Resources Board, shall determine under what circumstances interference with the attainment and maintenance of ambient air quality standards is likely to result from the evaporative emission of volatile organic compounds contained in a pesticide product and may require the applicant to supply data regarding such emissions.

NOTE: Authority cited: Sections 11456, 11502, 12005, 12111, 12531, 12561, 12781, 12976, 12981, 14005 and 14006.7, Food and Agricultural Code.

Reference: Sections 11401-12121, 12501-12671, 12751-13102 and 14001-14104, Food and Agricultural Code.

6192. Other Data.

Each applicant to register a pesticide product shall submit to the director any other data determined by the director to be necessary to carry out the provisions of Section 12824 of the Food and Agricultural Code. Each data request pursuant to this section shall include the director's reason for the request. Such data may include, but is not limited to the following:

(a) Pesticide drift.

- (b) Phytotoxicity.
- (c) Environmental effects.
- (d) Analytical and environmental chemistry.
- (e) The effect from the use of mixtures of two or more products in combination.
- (f) Contaminants in pesticide products.

NOTE: Authority cited: Sections 11456, 11502, 12005, 12111, 12531, 12561, 12781, 12976, 12981, 14005 and 14006.7, Food and Agricultural Code.
Reference: Sections 11401-12121, 12501-12671, 12751-13102 and 14001-14104, Food and Agricultural Code.

6193. Wettable and Soluble Powders.

NOTE: Authority cited: Sections 407, 12781 and 14005, Food and Agricultural Code.
Reference: Sections 12751-12994, Food and Agricultural Code.

6193.5. Acute Effects Data for Dietary Risk Assessment.

(a) For the purposes of this section, "acute exposure" is defined as a single treatment or repeated treatments during a period normally not to exceed seven days. Signs of acute toxicity are physical, behavioral, or biochemical manifestations, resulting from acute exposure, which are relevant to assessing dietary risks resulting from acute exposures of humans. Relevant observations of acute toxicity are described in the U.S. EPA Pesticide Assessment Guidelines, Subdivision F.

(a) The following data, from studies using active ingredients, are required to assess dietary risk resulting from acute exposures:

(1) Acute oral LD₅₀ toxicity data as required pursuant to Title 40 Code of Federal Regulations, Part 158.340; and Relevant observations of acute toxicity are described in the U.S. EPA Pesticide Assessment Guidelines, Subdivision F.

(2) Oral toxicity data demonstrating a No Observed Effect Level (NOEL) for signs of acute toxicity following acute exposure and oral toxicity data sufficient to produce a dose-response curve for active ingredients with known biological indicators (e.g., cholinesterase inhibition) when this response is relevant to the NOEL. For active ingredients with anticholinesterase activity, at a minimum, red blood cell cholinesterase activity must be reported.

(c) The data listed in subsection (b) shall be submitted with each application for registration of:

- (1) A pesticide product intended for use on food or feed crops and containing an active ingredient not currently registered for food or feed use; or
- (2) Amended labeling which would add directions for use on food or feed crops to the label of a pesticide product containing an active ingredient not currently registered for food or feed use.

(d) Pursuant to Section 13060 of the Food and Agricultural Code, when notified by the department, registrants of pesticides labeled for use on food or feed crops must submit the acute effects data listed in subsection (b). Registrants shall have nine months from the date of the department's notice to submit the data.

(e) The department will not require the data listed in subsections (b) for active ingredients for which the department has made a written determination that existing data demonstrates that acute dietary exposure is not of toxicological concern.

NOTE: Authority cited: Section 12781, Food and Agricultural Code.
Reference: Sections 12824 and 13060, Food and Agricultural Code.

(7) The notices specified in subsection (a)(3), (4), and (6) must be in a manner the person can understand and include:

- (A) The date of the scheduled application;
- (B) The location and description of the field to be treated; and
- (C) Instructions not to enter the field to be treated and its application exclusion zone pursuant to section 6762 until authorized by the operator of the property.

(8) If there is a change in the date of the scheduled application specified in (a)(7)(A), then a new notice must be provided to persons specified in (a)(3), (4), and (6) prior to the application.

(b) This subsection applies to the use of any pesticide for purposes other than the commercial or research production of an agricultural plant commodity. Notification required by this subsection must be given orally or in writing and be completed prior to the use of any pesticide and in ample time for all subsequent notifications to be made and for all persons notified to take appropriate action. This time will differ depending on the circumstances of each notification.

(1) Each person performing pest control shall assure that the operator of the property receives notice of the scheduled application. The notice must be in a manner the person can understand and include:

- (1) The date of the scheduled application;
- (2) The identity of the pesticide (including spray adjuvants, if applicable) by brand or common chemical name; and

(3) Any other precautions printed on the pesticide product labeling or included in applicable laws or regulations related to the protection of employees or other persons during the application.

(2) The operator of the property shall assure that notice is given to all persons who are on the property to be treated, or who may enter during the application or the period of time that any restrictions on entry are in effect, except for the persons who made or supervised the application for which the notice is intended. The notice must be in a manner the person can understand and include:

- (A) The date of the scheduled application;
- (B) The identity of the pesticide (including spray adjuvants, if applicable) by brand or common chemical name; and

(C) Precautions to be observed as printed on the pesticide product labeling or included in applicable laws or regulations related to the entry of the treated area.

(3) Compliance by licensed Structural Pest Control Operators with the notice requirements of section 8538 of the Business and Professions Code meets the requirements of this subsection.

(4) Compliance by public agencies with the notice or barrier requirements of section 12978 of the Food and Agricultural Code meets the notice requirements of this subsection.

NOTE: Authority cited: Sections 12976 and 12981, Food and Agricultural Code.

Reference: Sections 11501, 12980, and 12981, Food and Agricultural Code; and Section 8538, Business and Professions Code.

6619. Notice of Completed Applications.

(a) Any person applying pesticides for the commercial or research production of an agricultural plant commodity shall assure that the operator of the property treated receives notice, orally or in writing, and within 24 hours of completion of the pesticide application. This notice must include the following information:

- (1) The location of the property, including the site identification number, and acreage treated;
- (2) The pesticide product name(s), U.S. EPA registration number(s), and active ingredients(s);
- (3) Spray adjuvant product name(s) and California registration number(s), if applicable;
- (4) The date(s) and time(s) the application started and ended; and
- (5) The applicable reentry and pre-harvest intervals, unless a copy of a written recommendation for the subject application made by a licensed agricultural pest control adviser, properly completed, was given to the operator of the property treated.

(b) The operator of the treated property shall maintain a written record of the application(s) on their property. These records must include the notice information specified in (a)(1-5).

(c) The operator of the property shall assure that notice of completed application is given to employees covered under section 6700 (which includes fieldworkers) and their employers except as provided in (e). The operator of the property is not required to provide notice to persons who will apply the pesticide(s) or supervise the application for which the notice is intended.

(d) Any employer who receives the notice of completed application from the operator of the property shall assure that notice of completed application is given to his or her employees except as provided in (e).

(e) The notices specified in subsections (c) and (d) are not required to be given to an employee covered under section 6700 (which includes fieldworkers) or their employer if the operator of the property can assure that:

- (1) The field is posted pursuant to section 6776(b-f), unless the pesticide product labeling requires both oral notification and posting of treated fields; or
- (2) During the restricted entry interval, that employee or employer will not enter or walk within $\frac{1}{4}$ mile of the treated field.

(f) The notices specified in subsections (c) and (d) must be given orally or in writing and in a manner the person can understand and include;

- (1) The location and description of the treated field;
- (2) The time during which entry is restricted; and
- (3) Instructions not to enter the treated field until the restricted entry interval has expired, except as provided in section 6770.

(g) The operator of the property shall assure that notice is given orally or in writing to persons, other than those specified in subsection (c), whom the operator of the property has prior knowledge that he or she will likely enter the treated field during the restricted entry interval. This notice is not required when a field is posted as specified in section 6776(b-f). The notice must be in a manner the person can understand and include:

- (1) The location and description of the treated field;
- (2) The time during which entry is restricted; and
- (3) Instructions not to enter the treated field until the restricted entry interval has expired.

6625. Pesticide Use Report for School Sites and Child Day Care Facilities.

(a) In addition to the reporting requirements of section 6627, persons engaged for hire in the business of pest control at a school site and required to maintain pesticide use records pursuant to section 6624 shall report the use of pesticides to the Director. The report shall be submitted, at least annually, by the 30th day following the end of the calendar year.

(b) The report shall be on a Department form, School Site and Child Day Care Facility Pesticide Use Reporting by a Business (DPR-ENF-117 Rev. 12/16), hereby incorporated by reference, or in a format approved by the Director. The report shall include the following:

- (1) The name and address of the person who, or business/organization which, applied the pesticide(s);
- (2) County where the pest control was performed;
- (3) Date and time of pesticide use;
- (4) Name and address of school site/child day care facility or school site/child day care facility identification number;
- (5) Location of application;
- (6) Pesticide, including the U.S. Environmental Protection Agency or State registration number which is on the pesticide label, and the amount used.

NOTE: Authority cited: Sections 11456, 11502, 12976, 13145, 13188, and 14005, Food and Agricultural Code.
Reference: Sections 11501, 11708, 11733, 13186, 14006, and 14011.5, Food and Agricultural Code.

6626. Pesticide Use Reports for Production Agriculture.

(a) The operator of the property which is producing an agricultural commodity shall report the use of pesticides applied to the crop, commodity, or site to the commissioner of the county in which the pest control was performed. This report must be submitted by the 10th day of the month following the month in which the work was performed. This report is not required if the pesticide use is reported to the commissioner by pest control business as specified in subsection (b); however, the operator of the property treated, shall retain a copy of the business' report by site for two years.

(b) An agricultural pest control business shall report the use of pesticides applied by it for the production of an agricultural commodity to the commissioner of the county in which the pest control was performed. This report must be submitted, within seven days of completion of the pesticide application. A copy of the report shall be sent by the business to the operator of the property where the pest control was done within 30 days of completion of the pesticide application.

(c) Each report of pesticide use pursuant to this section shall be on a department form or in a format approved by the director. Acceptable department forms include form 38-017 for an operator of the property to report pursuant to subsection (a), and 39-025 for an agricultural pest control business to report pursuant to subsection (b). The information to be reported shall include the information specified in section 6624, and the name and address of the agricultural pest control business which made the application, if such a business made the application.

(d) A use report required by (a) or (b) for the application of a field soil fumigant in the Sacramento Metro, San Joaquin Valley, South Coast, Southeast Desert, and Ventura ozone nonattainment areas shall include the information specified in 6624(f) in addition to that required by this section.

(e) If the report is mailed, the postmark shall be the date of delivery.

(f) If the county in which work was performed has no commissioner, the report shall be made to the director.

NOTE: Authority cited: Sections 11456, 11502, 12976, 13145, and 14005, Food and Agricultural Code.

Reference: Sections 11501, 11708, 11733, 12981, 14006, and 14011.5, Food and Agricultural Code.

6627. Monthly Summary Pesticide Use Reports.

(a) Except as provided in section 6626, persons required to maintain pesticide use records pursuant to section 6624 shall report a summary of the monthly use of pesticides to the commissioner of the county in which the work was performed. The report shall be provided to the commissioner by the 10th day of the month following the month in which the work was performed. If the report is mailed, the postmark shall be the date of delivery.

(b) The report shall be in a format approved by the director. The report shall include the following:

(1) The name and address of the person who or business/organization which applied the pesticide(s);

(2) County where the pest control was performed;

(3) Month and year of pesticide use;

(4) Crop, commodity or site treated, except when using a designated use code, as specified on the Monthly Summary Pesticide Use Report form;

(5) Pesticide, including the United States Environmental Protection Agency or State registration number which is on the pesticide label, and the amount used;

(6) Number of applications made with each pesticide and the total number of applications made during the month; and

(7) Total acres or units treated with each pesticide, except when using a designated use code, as specified on Summary Pesticide Use Report form.

(c) If the county in which the work was performed has no commissioner, the report shall be made to the director.

NOTE: Authority cited: Sections 11456, 11502, 12976, 13145 and 14005, Food and Agricultural Code.

Reference: Sections 11501, 11708, 11733, 12981, 14006, and 14011.5, Food and Agricultural Code

6627.1. Monthly Summary Pesticide Use Report Form. [Repealed]

NOTE: Repealed 8-1-96

6628. Negative Pesticide Use Reports.

(a) During any month, when a licensed agricultural pest control business performs no pest control work in a county where the business is registered with the commissioner pursuant to Food and Agricultural Code section 11732, he/she shall submit a report stating this fact to the commissioner, or to the Director in any county where there is no commissioner, by the 10th day of the following month.

(b) During any month, when a licensed structural pest control operator performs no pest control work in a county in which he/she is registered with the commissioner pursuant to section 15204 or 15204.5 of the Food and Agricultural Code, he/she shall submit a report stating this fact to the commissioner, or to the Director in any county where there is no commissioner, by the 10th day of the following month.

(c) If the report is mailed, the postmark shall be the date of delivery.

NOTE: Authority cited: Sections 11456, 11502, 12976, 13145, and 14005, Food and Agricultural Code.

Reference: Sections 11501, 11708, 11733, 14006, and 14011.5, Food and Agricultural Code.

Article 2. Pest Control Business Operations
Sections 6630-6636

6630. Equipment Identification.

Each person engaged for hire in the business of pest control shall keep each ground rig, service rig, and similar equipment used for mixing or applying pesticides conspicuously and legibly marked with either the business' name, or with "Licensed Pest Control Operator," "Fumigation Division," "Licensed Fumigator," or substantially similar wording and the pest control operator license number of the person or firm. The markings shall be large enough to be readable at a distance of 25 feet.

NOTE: Authority cited: Sections 11456, 11502 and 12976, Food and Agricultural Code.
Reference: Section 11501, Food and Agricultural Code.

6632. Recommendation and Use Permit.

Each person engaged for hire in the business of pest control shall have available a copy of both of the following covering each agricultural use application of a pesticide that requires a permit.

- (a) A copy of the written recommendation adopted by the operator of the property or a work order that contains the elements of a recommendation required by Food and Agricultural Code section 12003 and Title 3, California Code of Regulations, section 6556, and
- (b) A copy of the use permit authorizing treatment of that site with that pesticide(s).

NOTE: Authority cited: Sections 11456, 11502, and 12976, Food and Agricultural Code.
Reference: Sections 11501, 12003, and 14007, Food and Agricultural Code.

6634. Accident Reports.

Each person engaged for hire in the business of pest control shall report to the commissioner as soon as practicable, by the most expedient method, any forced landing, or emergency or accidental release of pesticides. Such report shall include the location, the pesticide, and estimated amount.

NOTE: Authority cited: Sections 11456, 11502 and 12976, Food and Agricultural Code.
Reference: Section 11501, Food and Agricultural Code.

6636. Pest Control Records and Reports. [Repealed]

NOTE: Authority cited: Sections 407, 11502 and 12976, Food and Agricultural Code.
Reference: Sections 11501, 11708 and 11733, Food and Agricultural Code.

6674. Posting of Pesticide Storage Areas.

Signs visible from any direction of probable approach shall be posted around all storage areas where containers that hold, or have held, pesticides required to be labeled with the signal words "warning" or "danger" are stored. Each sign shall be of such size that it is readable at a distance of 25 feet and be substantially as follows:

DANGER

POISON STORAGE AREA

ALL UNAUTHORIZED PERSONS KEEP OUT

KEEP DOOR LOCKED WHEN NOT IN USE

The notice shall be repeated in an appropriate language other than English when it may reasonably be anticipated that persons who do not understand the English language will come to the enclosure.

NOTE: Authority cited: Sections 11456, 12976 and 12981, Food and Agricultural Code.
Reference: Sections 11501, 12981 and 14102, Food and Agricultural Code.

6676. Container Requirements.

Except as provided in the Food and Agricultural Code pertaining to service containers, any container that holds, or has held, any pesticide, when stored or transported, shall carry the registrant's label. All lids or closures shall be securely tightened except when the procedure described in section 6684 has been followed. This section shall not apply to measuring devices that are not used to store or transport a pesticide.

NOTE: Authority cited: Sections 11456, 12976 and 12981, Food and Agricultural Code.
Reference: Sections 11501, 12981 and 14102, Food and Agricultural Code.

6678. Service Container Labeling.

Service containers, other than those used by a person engaged in the business of farming when the containers are used on the property the person is farming, shall be labeled with:

- (a) The name and address of the person or firm responsible for the container;
- (b) The identity of the pesticide in the container; and
- (c) The word "Danger," "Warning," or "Caution," in accordance with the label on the original container.

NOTE: Authority cited: Sections 11456, 11502, 12781 and 12859, Food and Agricultural Code.
Reference: Sections 11501, 12757.5, and 12859, Food and Agricultural Code.

6680. Prohibited Containers for Pesticides.

In no case shall a pesticide be placed or kept in any container of a type commonly used for food, drink or household products.

NOTE: Authority cited: Sections 11456, 12976 and 12981, Food and Agricultural Code.
Reference: Sections 11501, 12981 and 14102, Food and Agricultural Code.

6682. Transportation.

- (a) Pesticides shall not be transported in the same compartment with persons, food or feed.
- (b) Pesticide containers shall be secured to vehicles during transportation in a manner that will prevent spillage onto the vehicle or off the vehicle. Paper, cardboard, and similar containers shall be covered when necessary to protect them from moisture.

NOTE: Authority cited: Sections 11456, 12976 and 12981, Food and Agricultural Code.
Reference: Sections 11501, 12981 and 14102, Food and Agricultural Code.

6684. Rinse and Drain Procedures.

(a) Except for containers to be returned to the registrant, each emptied container that has held less than 28 gallons of a liquid pesticide that is diluted for use shall be rinsed and drained by the user at time of use as follows:

(b) (1) Use the following amount of water or other designated spray carrier for each rinse.

<u>Size of container</u>	<u>Amount of rinse medium</u>
Less than 5 gallons	1/4 container volume
5 gallons or over	1/5 container volume

(2) Place required minimum amount of rinse medium in the container, replace closure securely, and agitate.

(3) Drain rinse solution from container into tank mix. Allow container to drain 30 seconds after normal emptying.

(4) Repeat (2) and (3) above a minimum of two times so as to provide a total of three rinses; or

(c) (1) Invert the emptied container over a nozzle located in the opening of the mix tank which is capable of rinsing all inner surfaces of the container.

(2) Activate the rinse nozzle allowing the rinse solution to drain into the tank. The rinse shall continue until the rinse solution appears clear and a minimum of one-half of the container volume of rinse medium has been used. A minimum of 15 pounds pressure per square inch shall be used for rinsing; or

(d) Other rinse methods, at least equal in effectiveness to the above, approved by the director.

NOTE: Authority cited: Sections 11456, 12976 and 12981, Food and Agricultural Code.

Reference: Sections 11501, 12981 and 14102, Food and Agricultural Code.

6686. Exemptions.

(a) Sections 6672, 6674, 6682 and 6684 shall not apply to containers that hold or have held pesticides packaged, labeled, and used for home use when in the possession of a householder on his property.

(b) Sections 6670 and 6672(b) shall not apply to exempt materials specified in section 6402 except where the commissioner, or the director in any county where there is no commissioner, determines that a hazard to public health and safety exists requiring the control specified in sections 6670 and 6672(b).

(c) Section 6684 shall not apply to outer shipping containers that are not contaminated with a pesticide.

(d) This article shall not apply to sanitizers, disinfectants, or medical sterilants.

NOTE: Authority cited: Sections 11456, 12976 and 12981, Food and Agricultural Code.

Reference: Sections 11501, 12981 and 14102, Food and Agricultural Code

Article 5. Pesticide Use near Schoolsites
Sections 6690-6692

6690. Pesticide Use Near Schoolsites.

The provisions of this article pertain to pesticide applications made for the production of an agricultural commodity within ¼ mile of a schoolsite. "Schoolsite" as used in sections 6690-6692 means any property used as a child day care facility, as defined in Health and Safety Code section 1596.750, or for a kindergarten, elementary, or secondary school. This includes all areas of the property used on weekdays by children who attend such facilities or schools, or other property identified by the commissioner as a park adjacent to a school that is used by the school for recess, sports, or other school activities. "Schoolsite" does not include: family day care homes as defined in Health and Safety Code section 1596.78; any postsecondary educational facility attended by secondary pupils; private kindergarten, elementary, or secondary school facilities; or vehicles or bus stops not on schoolsite property.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code.

Reference: Sections 2281, 11501.5, and 11501, Food and Agricultural Code.

6691. Pesticide Application Restrictions.

Pesticide application restrictions will apply Monday through Friday, during the hours of 6:00 a.m. to 6:00 p.m., depending on the distance from the treated area to a schoolsite, the application equipment used, and type of pesticide applied. The type of pesticide is not the product formulation but the final form applied (e.g., if a powder is mixed with water and then applied, this is considered a liquid application). During these time periods, the operator of the property and the applicator shall assure that an application is not made within the distance of the schoolsite as specified below.

- (a) There must be a minimum ¼ mile distance restriction for applications using a:
- (1) Aircraft.
 - (2) Airblast sprayer or other ground application equipment with a pump that delivers spray into an air stream created by a fan.
 - (3) Sprinkler chemigation equipment.
 - (4) Dust or powder except as provided in subsection (c)(3).
 - (5) Fumigant.
- (b) There must be a minimum 25 foot distance restriction when using a:
- (1) Ground-rig sprayer. However, if this type of equipment is used to apply a dust, powder, or fumigant, the ¼ mile distance restriction in subsection (a) applies.
 - (2) Field soil injection equipment. However, if this type of equipment is used to apply a fumigant, the ¼ mile distance restriction in subsection (a) applies; or if used to apply a dust or powder, there is no minimum distance restriction.
 - (3) Other application equipment not identified in this section, such as drip or flood chemigation equipment. However, if this type of equipment is used to apply dust, powder, or fumigant, the ¼ mile distance restriction in subsection (a) applies.
- (c) Notwithstanding subsections (a) and (b), there is no distance restriction when:
- (1) the application is made within an enclosed space, such as a greenhouse. However, when applying a fumigant, the ¼ mile distance restriction in subsection (a) applies.

- (2) the application is made using bait stations.
 - (3) a pesticide is applied as a dust or powder using field soil injection equipment.
 - (4) a pesticide is applied as a granule, flake, or pellet. However, when the pesticide product formulation is applied as a fumigant, or applied by aircraft, the ¼ mile distance restriction in subsection (a) applies.
 - (5) an application is made using a backpack sprayer. However, when this type of equipment incorporates an airblast sprayer or is used to apply a dust or powder, the ¼ mile distance restriction in subsection (a) applies.
 - (6) an application is made using a hand pump sprayer. However, when this type of equipment is used to apply a dust, powder, or fumigant, the ¼ mile distance restriction in subsection (a) applies.
- (d)** Notwithstanding subsections (a) and (b), there is no distance restriction when:
- (1) school classes are not scheduled for the day of application.
 - (2) the child day care facility is closed during the entire day of the application.
- (e)** In addition to the time period and distance restriction specified in subsections (a)-(c), fumigants cannot be applied when school classes are scheduled or child day care facilities are open within 36 hours following fumigation.
- (f)** Notwithstanding subsections (a) through (c), the application restrictions do not apply when there is a written agreement between the operator of the property, the principal or child day care facility administrator, and the commissioner that specifies alternative application restrictions that the parties agree provide the same or a greater level of protection as provided by subsections (a) through (c). Any party may rescind the agreement at any time by notifying the other parties in writing. If an agreement is rescinded, then subsections (a) through (c) control. The commissioner shall enforce a written agreement for restrictions as if they were requirements in regulation.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code.

Reference: Sections 2281, 11501.5, and 11501, Food and Agricultural Code.

6692. Annual Notification.

(a) For all applications of pesticides expected to be made for the production of an agricultural commodity within ¼ mile of a schoolsite, the operator of the property to be treated shall provide annual notification to those specified in (b) no later than April 30 of pesticide(s) expected to be used from July 1 of the current year through June 30 of the next year.

(1) Effective April 1, 2018, if the operator of the property to be treated changes, the new property operator shall provide the notification as specified in (b) and (c) within 30 days of assuming control of that property for expected pesticide(s) to be used from the time the notification is provided through June 30 of the following year. If the notification made 30 days after assuming control includes information about the pesticide(s) expected to be used July 1 of the current year through June 30 of the following year, then (a) does not apply. Subsequent notifications must be provided as specified in (a).

(b) The annual notification must be provided to:

- (1) The principal of the public K-12 school;
- (2) The administrator of the child day care facility; and
- (3) The county agricultural commissioner.

(c) The annual notification must be in writing and include the following information:

- (1) A summary of the operator of the property's requirements to provide annual notification to a schoolsite as described in subsection (a).
 - (2) A summary of the applicable pesticide application restrictions specified in section 6691.
 - (3) Operator of the property's name and contact information;
 - (4) Map showing location of the field(s) involved and the school or child day care facilities;
 - (5) County agricultural commissioner's contact information;
 - (6) National Pesticide Information Center Web site address;
 - (7) Information on the pesticide(s) expected to be used including: name of each active ingredient, or principal functioning agent for a spray adjuvant; example pesticide product name(s); and the U.S. Environmental Protection Agency or California registration number.
 - (8) The following statements: "This notification is informational only, and includes a list of pesticides expected to be used. Beginning July 1, 2018, schoolsites will be informed of pesticides not on the list at least 48 hours prior to their use. The county agricultural commissioner may be contacted for questions or additional information; if violations of these requirements are suspected; or other non-emergency situations."
 - (9) A description of the option to negotiate an alternate to the required application restrictions as provided in section 6691, subsection (f).
- (d)** Effective July 1, 2018, if a pesticide to be used was not included in the annual notification as specified in subsection (c)(7), the operator of the property shall provide this information to the schoolsite and commissioner at least 48 hours prior to the application.
- (e)** The property operator shall retain a copy of each annual notification for two years and make them available to the Director or commissioner upon request. The commissioner shall retain a copy of each annual notification for one year.

NOTE: Authority cited: Sections 11456 and 12976, Food and Agricultural Code.
Reference: Sections 2281, 11501.5, and 11501, Food and Agricultural Code.

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Article 1. General Scope and Purpose
Sections 6700-6716

6700. Scope.

This group specifies work practices for:

(a) employees who mix, load, apply, store, transport, or otherwise handle pesticides for any use, except for manufacturing, formulating or repackaging of pesticides; and

(b) for employees who are exposed to residues of pesticides after application to fields.

The requirements of this group do not allow a lower standard of protection when pesticide labeling statements require a higher standard of protection.

The requirements of this group do not apply to storage and transportation of pesticides in the manufacturer's sealed or closed container. In general, the work practices and safety requirements stated in this group are designed to reduce risk of exposure and to ensure availability of medical services for employees who handle pesticides, and to provide safe working conditions for field and other workers.

NOTE: Authority cited: Sections 11456 and 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code.

6701. Interpretation Consistent with Federal Standards.

Whenever the context will allow, the requirements of this subchapter should be interpreted at least as strict as, and consistent, with the Worker Protection Standards in Title 40 Code of Federal Regulations, Part 170. It is intended that these regulations, rather than those in Title 40 Code of Federal Regulations, Part 170, be enforced by the Department of Pesticide Regulation and county agricultural commissioners within the State of California. Any reference to Part 170, Code of Federal Regulations on pesticide product labeling shall be considered a reference to Title 3, Division 6, California Code of Regulations when use occurs within California.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 11501, 12973, 12980, and 12981, Food and Agricultural Code.

6702. Employer-Employee Responsibilities.

(a) The employer shall comply with each regulation in this subchapter which is applicable to the employer's action or conduct.

(b) The employer:

(1) Is responsible for knowing about applicable safe use requirements specified in regulations and on the pesticide product labeling;

(2) Shall inform the employee, in a language the employee understands, of the specific pesticide being used, pesticide safety hazards, the personal protective equipment and other equipment to be used, work procedures to be followed, and pesticide safety regulations applicable to all activities they may perform;

(3) Shall assure safe work practices, including all applicable regulations and pesticide product labeling requirements are complied with;

(4) Has the duty to provide a safe work place for employees and require employees to follow safe work practices; and

6723.1. Application-Specific Information For Handlers.

(a) The operator of property used for the commercial or research production of an agricultural plant commodity shall display, at a central location, the following application-specific information while employees are employed to handle pesticides:

- (1) The crop or site treated and identification of the treated area;
- (2) The date(s) and time(s) the application started and ended;
- (3) Restricted entry interval;
- (4) Product name, U.S. EPA registration number, and active ingredients; and
- (5) A copy of the Safety Data Sheet(s) for the applied pesticide(s).

(b) The information shall be displayed within 24 hours of the completion of an application and include all applications that have been made to any treated field on the agricultural establishment within 1/4 mile of where employees will be working. Once displayed, the information shall remain displayed until the area no longer meets the definition of a treated field or handler employees will no longer be on the establishment, whichever occurs earlier.

(c) The information required by this section must be retained for two years.

(d) The original or copies of documents otherwise required to be maintained by this chapter may be used to meet the requirements of this section provided they contain the information required by this section.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 11501, 12973, 12980, and 12981, Food and Agricultural Code.

6724. Handler Training.

The employer shall assure that employees who handle pesticides have been trained pursuant to the requirements of this section and that all other provisions of this section have been complied with for employees who handle pesticides.

(a) The employer shall have a written training program. The training program shall describe the materials (e.g., study guides, pamphlets, pesticide product labeling, Pesticide Safety Information Series leaflets, Safety Data Sheets, slides, video) and information that will be provided and used to train his or her employees and identify the person or firm that will provide the training. The training program shall address each of the subjects specified in subsection (b) that is applicable to the specific pesticide handling situation. The employer shall maintain a copy of the training program while in use and for two years after use, at a central location at the workplace.

(b) The training shall cover, for each pesticide or chemically similar group of pesticides, to be used:

(1) Format and meaning of information, such as precautionary statements about human health hazards, contained in pesticide product labeling;

(2) Applicator's responsibility to protect persons, animals, and property while applying pesticides; and not to apply pesticides in a manner that results in contact with persons not involved in the application process;

(3) Need for, limitations, appropriate use, removal, and sanitation, of, any required personal protective equipment;

(4) Safety requirements and procedures, including engineering controls (such as closed mixing systems and enclosed cabs) for handling, transporting, storing, disposing of pesticides, and spill clean-up;

(5) Where and in what forms pesticides may be encountered, including treated surfaces, residues on clothing, personal protective equipment, application equipment, and drift;

(6) Hazards of pesticides, including acute, chronic, and delayed effects, and sensitization effects, as identified in pesticide product labeling, Safety Data Sheets, or Pesticide Safety Information Series leaflets;

(7) Routes by which pesticides can enter the body;

(8) Signs and symptoms of overexposure;

(9) Routine decontamination procedures when handling pesticides, including that employees should:

(A) Wash hands before eating, drinking, using the toilet, chewing gum, or using tobacco;

(B) Thoroughly wash or shower with soap and water;

(C) Change into clean clothes as soon as possible; and

(D) Wash work clothes separately from other laundry before wearing them again.

(10) How Safety Data Sheets provide hazard, emergency medical treatment, and other information about the pesticides with which employees may come in contact;

(11) The hazard communication program requirements of section 6723;

(12) The purposes and requirements for medical supervision if organophosphate or carbamate pesticides with the signal word "DANGER" or "WARNING" on the labeling are mixed, loaded, or applied for the commercial or research production of an agricultural plant commodity;

(13) First aid and emergency decontamination procedures, and emergency eye flushing techniques; and if pesticides are spilled or sprayed on the body to wash immediately with decontamination supplies and as soon as possible, wash or shower with soap and water and change into clean clothes;

(14) How and when to obtain emergency medical care;

(15) Prevention, recognition, and first aid for heat-related illness in accordance with Title 8 of the California Code of Regulations, section 3395;

(16) Requirements of this chapter and chapter 4 relating to pesticide safety, Safety Data Sheets, and Pesticide Safety Information Series leaflets;

(17) The requirement that handlers of pesticides used in the commercial or research production of an agricultural commodity must be at least 18 years of age;

(18) Environmental concerns such as drift, runoff, and wildlife hazards;

(19) Field posting requirements and restricted entry intervals when pesticides are applied for the commercial or research production of an agricultural commodity;

(20) That employees should not take pesticides or pesticide containers home from work;

(21) Potential hazards to children and pregnant women from pesticide exposures, including that:

(A) Children and nonworking family members should keep away from treated areas;

(B) After performing handling activities or after working in a treated area, employees should remove boots or shoes before entering the home and remove work clothes; and

(C) Employees should wash or shower before physical contact with children or family members.

(22) How to report suspected pesticide use violations; and

(23) The employee's rights, including the right:

(A) To personally receive information about pesticides to which he or she may be exposed;

(B) For his or her physician or employee representative designated in writing to receive information about pesticides to which he or she may be exposed;

(C) To be protected against retaliatory action due to the exercise of any of his or her rights; and

(D) To report suspected use violations to the Department or county agricultural commissioner.

(c) The training shall be in a manner the employee can understand, be conducted pursuant to the written training program, and include response to questions. Training for employees handling pesticides used for the commercial or research production of an agricultural commodity must be at a location reasonably free from distraction and trainers must be present throughout the entire presentation.

(d) Training shall be completed before the employee is allowed to handle pesticides, continually updated to cover any new pesticides that will be handled, and repeated at least annually thereafter. Initial training may be waived if the employee submits a record showing that training meeting the requirements of this section and covering the pesticides and use situations applicable to the new employment situation was received within the last year. A certified applicator is considered trained for the purposes of this section.

(e) The date and extent of initial and annually required training given to the employee and the job to be assigned shall be recorded. This record shall be verified by the employee's signature and retained by the employer for two years at a central location at the workplace accessible to employees. For an employee handling pesticides used for the commercial or research production of

an agricultural commodity, the record must also include employee's printed name; the title(s) and source(s) of the training materials used; employer's name; and trainer's name and qualifications as specified in (f).

(f) The person conducting the training for employees who will be handling pesticides for the commercial or research production of an agricultural plant commodity shall be qualified as one of the following:

- (1) A California certified commercial applicator;
- (2) A California certified private applicator;
- (3) A person holding a valid County Biologist License in Pesticide Regulation or Investigation and Environmental Monitoring issued by the Department of Food and Agriculture;
- (4) A University of California Extension Advisor;
- (5) A person who has completed an "instructor training" program presented by one of the following:
 - (A) the University of California, Integrated Pest Management Program; or
 - (B) other instructor training program approved by the Director;
- (6) A California licensed Agricultural Pest Control Adviser;
- (7) A California Registered Professional Forester; or
- (8) Other trainer qualification approved by the Director.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code.

6726. Emergency Medical Care.

(a) Emergency medical care for employees handling pesticides shall be planned for in advance. The employer shall locate a facility where emergency medical care is available for employees who will be handling pesticides.

(b) Employees shall be informed of the name and location of a facility where emergency medical care is available. The employer shall post in a prominent place at the work site, or work vehicle if there is no designated work site, the name, address and telephone number of a facility able to provide emergency medical care whenever employees will be handling pesticides and, if the identified facility is not reasonably accessible from that work location, procedures to be followed to obtain emergency medical care.

(c) When there is reasonable grounds to suspect that an employee has a pesticide illness, or when an exposure to a pesticide has occurred that might reasonably be expected to lead to an employee's illness, the employer shall ensure that the employee is taken to a physician immediately.

(d) The employer shall provide the following information to medical personnel treating an employee suspected of being exposed to a pesticide used in the commercial or research production of an agricultural commodity:

- (1) Copies of the applicable Safety Data Sheet(s) and the product name(s), U.S. Environmental Protection Agency registration number(s), and active ingredient(s) for each pesticide product to which the employee may have been exposed.
- (2) The circumstances of application or use of the pesticide.
- (3) The circumstances that could have resulted in exposure to the pesticide.

NOTE: Authority cited: Sections 11456 and 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code.

6728. Medical Supervision.

(a) Whenever an employee mixes, loads, or applies a pesticide with the signal word "DANGER" or "WARNING" that contains an organophosphate or carbamate, for the commercial or research production of an agricultural plant commodity, the employer shall maintain use records that identify the employee, the name of the pesticide, and the date of use. The original or copies of documents otherwise required to be maintained by this chapter may be used to meet the requirements of this section provided they contain the information required by this section.

(b) Each employer who has an employee who regularly handles pesticides specified in (a) shall have a written agreement signed by a physician, that includes the names and addresses of both the physician providing the medical supervision and the employer responsible for the employees, stating that the physician has agreed to provide medical supervision and that the physician possesses a copy of, and is aware of the contents of the document "Medical Supervision of Pesticide Workers-Guidelines for Physicians" (available from the Office of Environmental Health Hazard Assessment). A copy of this agreement shall be given to the commissioner by the employer no later than when an employee begins to regularly handle pesticides specified in (a).

(c) The employer's responsibilities for medical supervision for employees regularly handling pesticides specified in (a) shall include the following:

(1) All covered employees shall have baseline red cell and plasma cholinesterase determinations. Baseline values shall be verified every two years. For new employees, the medical supervisor may accept previously established baseline values if they are obtained in accordance with these regulations by the same laboratory methodology and are acceptable to the laboratory which will analyze the new employee's blood samples.

(2) (A) The employer shall ensure that each employee, not previously under medical supervision associated with that employer, has red cell and plasma cholinesterase determinations within three working days after the conclusion of each 30-day period in which pesticides specified in (a) are regularly handled.

(B) After three tests at 30-day intervals, further periodic monitoring shall be at intervals specified in writing by the medical supervisor except for verification of baseline as specified in (1).

(C) Where the medical supervisor has made no written recommendation for continued periodic monitoring, the testing interval shall be 60 days.

(3) The employer shall keep a record of the agreement to provide medical supervision, use records, all recommendations received from the medical supervisor, and all results of cholinesterase tests required to be made on his/her employees by this section or by the medical supervisor. Records required by this section shall be maintained for three years and shall be available for inspection by the employee, the Director, commissioner, county health official, or state health official.

(4) The employer shall follow the recommendations of the medical supervisor concerning matters of occupational health.

(5) The employer shall post the name, address, and telephone number of the medical supervisor in a prominent place at the locale where the employee usually starts the workday; or if there is no locale where the employee usually starts the workday, at each worksite; or in each work vehicle.

(d) The employer shall investigate the work practices of any employee whose red cell or plasma cholinesterase levels fall below 80 percent of the baseline. The investigation of work practices shall include a review of the safety equipment used and its condition; and the employee's work practices which included employee sanitation, pesticide handling procedures, and equipment usage. The employer shall maintain a written record of the findings, any changes in equipment or procedures, and any recommendations made to the employee.

(e) The employer shall remove an employee from exposure to organophosphate or carbamate pesticides if the employee's plasma cholinesterase level falls to 60 percent or less of baseline, or if red cell cholinesterase falls to 70 percent or less of baseline. The employee shall be removed from further exposure until cholinesterase values return to 80 percent or more of their respective baseline values. The employer shall maintain written records of the dates of removal and the dates when employees are returned to exposure.

(f) To meet the requirements of these regulations, acetylcholinesterase (also known as red blood cell cholinesterase) and butyrylcholinesterase (also known as plasma or serum cholinesterase or pseudocholinesterase) tests ordered by a medical supervisor for occupational health surveillance shall be performed by a clinical laboratory currently approved by the California Department of Public Health to perform these tests. By January 1, 2000, tests shall be performed according to the procedures outlined below. If tests cannot be performed according to the following procedures, the conversion procedure outlined in 6728 (f)(8) shall be performed.

(1) Using personnel and procedures acceptable to the California Department of Public Health (Business and Professions Code sections 1242, 1243, 1246, 1269, 2070; Health and Safety Code sections 120580, 1607), blood collection and storage shall be done according to the following conditions:

(A) Blood samples shall be kept in ice or at a temperature of 4° C until time of assay. If the sample is centrifuged to remove the erythrocytes from the plasma, the plasma shall be stored frozen at a temperature of \leq minus 20°C until the assay is performed. If possible, the assay shall be performed within 24 hours after blood collection. Time of sample collection, analysis, and storage conditions shall be specified on the report.

(B) Ethylenediaminetetraacetic acid (EDTA) or heparin shall be used as an anticoagulant in a standard vacutainer tube.

(2) The reagents and equipment shall conform to the following conditions:

(A) A spectrophotometer at a wavelength between 405 and 425 nanometers shall be used.

(B) The assay shall be performed at a temperature of 25° C.

(C) The following conditions regarding the buffer/chromogen shall apply:

1. A sodium phosphate buffer shall be used at a concentration of 0.1 M adjusted to a pH of 8.0 with a pH meter calibrated at both 7.0 and 10.0.

2. Dithiobisnitrobenzoic acid (DTNB) at a stock concentration of 9.7 mM in 0.1 M sodium phosphate buffer pH 7.0 shall be used.

(D) The substrate acetylthiocholine iodide shall be used at a stock concentration of 10.1 mM in 0.1 M sodium phosphate buffer pH 8.0.

(E) The butyrylcholinesterase inhibitor quinidine hydrochloride monohydrate shall be used at a stock concentration of 6 mM in distilled deionized water.

(3) The acetylcholinesterase enzyme assay shall be performed within 15 minutes of preparation and the procedure for performing the assay shall be as follows:

(A) Measure 0.2 mL whole blood and add into a 1.8 mL solution of deionized distilled water; mix thoroughly and keep the solution on ice.

(B) To 2.5 mL of the sodium phosphate buffer, add 0.02 mL of the blood solution, 0.1 mL of DTNB (0.32 mM final concentration) and 0.1 mL of quinidine (0.2 mM final concentration); mix thoroughly and allow to sit for 5 minutes.

(C) Add 0.3 mL acetylthiocholine iodide (1.0 mM final concentration) into the buffer/sample solution and mix thoroughly.

(D) Measure absorbance over the linear portion of the enzyme activity curve in the spectrophotometer.

(4) The procedure for performing butyrylcholinesterase enzyme assay determination shall be as follows:

(A) Physical separation of plasma or serum shall be performed.

(B) If samples are frozen, they shall be thawed at room temperature to assure homogeneity of the sample.

(C) To 2.6 mL of the sodium phosphate buffer, add 0.02 mL of the plasma or serum and 0.1 mL of DTNB (0.32 mM final concentration), mix thoroughly and allow to sit for 5 minutes.

(D) Add 0.3 mL acetylthiocholine iodide (1.0 mM final concentration) into the buffer/sample solution and mix thoroughly.

(E) Measure absorbance over the linear portion of the enzyme activity curve in the spectrophotometer.

(5) A Buffer Blank containing 2.6 mL of sodium phosphate buffer, 0.3 mL of acetylthiocholine (1.0 mM final concentration), and 0.1 mL of DTNB (0.32 mM final concentration) and 0.02 mL of distilled deionized water shall be run with every batch of assays.

(6) Reporting units shall be in International Units per milliliter of sample (IU/mL).

(7) Baseline and follow up assays specified in 6728 (c)(2)(A) shall be conducted by the same laboratory method.

(8) If an assay different from that described above is used, the method shall be shown comparable with the foregoing conditions and a conversion equation prepared. Results shall be reported in International Units per mL on both the original and the converted scale. The conditions to establish comparability shall be as described below.

(A) Using personnel and procedures acceptable to the California Department of Public Health (Business and Professions Code sections 1242, 1243, 1246, 1269, 2070; Health and Safety Code sections 120580, 1607), blood samples shall be collected from at least ten subjects.

(B) Blood from each subject shall be tested by serial dilution as specified in "Comparison of Acetylcholinesterase Assays Run under Conditions Specified by the Standard Ellman Method and Conditions Specified by a Commercial Cholinesterase Reagent Kit." HS-1752, July 30, 1998, Department of Pesticide Regulation, Worker Health and Safety Branch.

(C) Test dilutions shall be made at 100% and 50% of enzyme activity.

(D) Triplicate samples shall be run by both the reference and the alternative methods.

(E) Pearson product-moment correlation coefficient squared (r^2) shall be at least 0.9 between results of the alternative and reference methods.

NOTE: Authority cited: section 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code; Section 105206, Health and Safety Code.

6730. Working Alone.

(a) An employee mixing, loading, or applying a pesticide in toxicity category one for production of an agricultural commodity may not work alone during daylight hours unless personal, radio, or telephone contact is made to a responsible adult at intervals not exceeding two hours.

(b) An employee mixing, loading, or applying a pesticide in toxicity category one for production of an agricultural commodity may not work alone during nighttime hours unless personal, radio, or telephone contact is made to a responsible adult at intervals not exceeding one hour.

(c) A pilot, mixer-loader, and/or flagger team shall be considered as working together. In the case of two ground applicators working in the same field, no additional person is necessary if they can see each other or each other's application vehicles.

NOTE: Authority cited: Sections 11456 and 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981, Food and Agricultural Code.

6732. Change Area.

For any employee who regularly handles pesticides with the signal word "DANGER" or "WARNING", and for all employees who handle any pesticides for the commercial or research production of an agricultural plant commodity, the employer shall assure that there is, at the place where employees end their exposure period and remove their personal protective equipment, an area where employees may change clothes and wash themselves. Clean towels, soap, and sufficient water shall be available to allow for thorough washing. For employees who handle pesticides for the commercial or research production of an agricultural plant commodity, the change area must meet the requirements specified in section 6734(a), (b)(1), and (b)(2). The employer shall provide a clean, pesticide-free place where employees may store any personal clothing not in use while at work handling pesticides.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981, Food and Agricultural Code

6764. Fieldworker Training.

(a) The employer shall assure that each employee assigned to work in a treated field has been trained within the last 12 months, in a manner the employee understands, before beginning work in the treated field.

(b) The training shall include the following information:

- (1) Where and in what forms pesticides may be encountered, including treated surfaces in the field, residues on clothing, personal protective equipment, application and chemigation equipment, irrigation water, and drift;
- (2) Potential hazards that pesticides present to fieldworkers and their families including acute, chronic, and delayed effects, and sensitization effects;
- (3) Routes by which pesticides can enter the body;
- (4) Signs and symptoms of overexposure;
- (5) Routine decontamination procedures when working in a treated field and the employer's responsibility to provide decontamination supplies:
 - (A) Wash hands before eating, drinking, using the toilet, chewing gum, or using tobacco;
 - (B) Thoroughly wash or shower with soap and water; and
 - (C) Change into clean clothes as soon as possible.
- (6) Wear work clothing that protects the body from pesticide residues when working in treated fields, and wash work clothes separately from other laundry before wearing them again;
- (7) How Safety Data Sheets provide hazard, emergency medical treatment, and other information about the pesticides with which they may come in contact;
- (8) The hazard communication program requirements of sections 6761 and 6761.1;
- (9) First aid and emergency decontamination procedures including emergency eye flushing techniques, and if pesticides are spilled or sprayed on the body to wash immediately with decontamination supplies and as soon as possible, wash or shower with soap and water and change into clean clothes;
- (10) How and when to obtain emergency medical care;
- (11) Prevention, recognition, and first aid for heat-related illness in accordance with Title 8 of the California Code of Regulations, section 3395;
- (12) Restricted entry intervals and what posting means, including both California and federal field posting sign formats;
- (13) Employer responsibility to keep workers out of application exclusion zones;
- (14) Employees must be at least 18 years old to perform early-entry activities. The responsibility of the employer to provide specific information to the employees before directing them to perform early-entry activities;
- (15) Employers are prohibited from allowing or directing any employee to handle pesticides unless the employee has been trained as a handler;
- (16) Do not to take pesticides or pesticide containers home from work;
- (17) Potential hazards to children and pregnant women from pesticide exposures, including that:
 - (A) Children and nonworking family members should keep away from pesticide-treated fields;
 - (B) After working in pesticide-treated fields, remove boots or shoes before entering the home and remove work clothes; and
 - (C) Employees should wash or shower before physical contact with children or family members.

- (18) How to report suspected pesticide use violations; and
- (19) Employee rights, including the right;
 - (A) To personally receive information about pesticides to which he or she may be exposed;
 - (B) For his or her physician or an employee representative designated in writing to receive information about pesticides to which he or she may be exposed;
 - (C) To be protected against retaliatory action due to the exercise of any of his or her rights; and
 - (D) To report suspected use violations to the Department or county agricultural commissioners.

(c) An employee who holds a valid personal pesticide license or certificate issued by the department, current documented pesticide handler training pursuant to section 6724, or other valid certificate of pesticide training approved by the director is considered to be trained for the purposes of this section.

(d) The information shall be presented in a manner the employee can understand, orally from written materials or audio visually, using non-technical terms in a location reasonably free from distraction. The trainer shall be present throughout the training and shall respond to employee questions.

(e) The record of initial and annually required training given to the employee must include the date; employee's printed name and signature; the title(s) and source(s) of the training materials used; employer's name; and trainer's name and qualifications as specified in (f). This record shall be retained by the employer for two years at a central location at the workplace accessible to employees. The record must be provided to the employee upon request.

(f) The person conducting the training shall be qualified as one of the following:

- (1) A California certified applicator;
- (2) A person holding any other valid license or certificate of personal pesticide qualification issued by the department;
- (3) A person who has completed an "instructor training" program presented by one of the following:
 - (A) The University of California, Integrated Pest Management Program;
 - (B) Other instructor training program approved by the director.
- (4) A California Registered Professional Forester;
- (5) A person holding a valid County Biologist License in Pesticide Regulation or Investigation and Environmental Monitoring issued by the California Department of Food and Agriculture;
- (6) A farm adviser employed by the University of California Extension Advisor; or
- (7) Other valid trainer qualification approved by the director.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code.

6766. Emergency Medical Care.

(a) Emergency medical care for employees who enter fields that have been treated with pesticides shall be planned for in advance. The employer shall locate a facility where emergency care is available for employees who will be working in treated fields.

(b) The employees, or their supervisor in the field, shall be informed of the name and location of a physician or medical facility where emergency medical care is available, and if the identified facility is not reasonably accessible from that work location, the procedures to be followed to obtain emergency medical care.

(c) When there are reasonable grounds to suspect that an employee has a pesticide illness, or when an exposure to a pesticide has occurred that might reasonably be expected to lead to an employee's illness, the employer shall ensure that the employee is taken to a physician immediately.

(d) The employer shall provide the following information to medical personnel treating an employee for a suspected pesticide exposure in the production of an agricultural commodity:

- (1) Copies of the applicable Safety Data Sheet(s) and the product name(s), U.S. Environmental Protection Agency registration number(s) and active ingredient(s) for each pesticide product to which the person may have been exposed.
- (2) The circumstances of application or use of the pesticide.
- (3) The circumstances that could have resulted in exposure to the pesticide.

NOTE: Authority cited: Sections 11456 and 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981, Food and Agricultural Code.

6768. Fieldworker Decontamination Facilities.

(a) The employer shall assure that sufficient water and the following are located together at the decontamination site and reasonably accessible for washing of hands and face and for emergency eye flushing to all fieldworkers engaged in activities involving contact with treated surfaces in treated fields:

(1) At least one gallon of water per employee, or three gallons of water per employee for employees engaged in early entry activities pursuant to section 6770(d). The water must be provided at the start of the work day and be of a quality and temperature that will not cause illness or injury when it contacts the skin or eyes or if it is swallowed. The water shall be stored separate from that used for mixing with pesticides unless the tank holding water for mixing with pesticides is equipped with appropriate valves to prevent back flow of pesticides into the water;

(2) Soap (hand sanitizing gels and liquids or wet towelettes do not meet the requirement for soap); and

(3) Single use towels (wet towelettes do not meet the requirement for single-use towels).

(b) The decontamination facilities shall be not more than 1/4 mile from the fieldworkers (or at the nearest point of vehicular access). Employees must be notified of the location of the decontamination site prior to working in a treated field.

(c) The decontamination facilities shall not be in an area under a restricted entry interval unless the fieldworkers for whom the site is provided are performing early entry activities. The facilities shall not be in an area under treatment.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981, Food and Agricultural Code.

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6769. Enclosed Space Ventilation Criteria.

When a pesticide with product labeling requiring respiratory protection for application is applied by any method, or when any pesticide is applied as a fumigant, smoke, mist, fine spray, fog, or aerosol inside an enclosed space, ventilation shall continue until:

- (a) The concentration is measured and found not to exceed any pesticide product labeling standard; or
- (b) One of the following has occurred if there is no labeling standard:
 - (1) Ten air exchanges are complete;
 - (2) Two hours of mechanical ventilation, such as with fans;
 - (3) Four hours of passive ventilation, such as opening vents, windows, or doors;
 - (4) Twenty-four hours with no ventilation; or
 - (5) Any combination of percentage portions of (1), (2), (3), and (4) the sum of which equals 100 percent.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981, Food and Agricultural Code.

6770. Field Entry After Scheduled or Completed Pesticide Application.

- (a) The operator of the property shall not allow or direct employees covered under section 6700 (which includes fieldworkers) or their employers (except for those persons who were scheduled to apply the pesticide(s) or supervise the application) to enter a field on the date of the scheduled application unless the operator assures that:
 - (1) The application has not occurred; and
 - (2) The application of the property will not occur during the time the employees are in the field to be treated.
- (b) The operator of the property shall not allow or direct employees covered under section 6700 (which includes fieldworkers) or their employer to enter a treated field until the operator has received the notice of completion as specified in section 6619(c), and the restricted entry interval has expired or the operator of the property has assured that the restrictions and exceptions pursuant to section 6770(d) have been met.
- (c) Any employer hired by the operator of the property shall not allow or direct any of his or her employees to enter a treated field until the employer has received confirmation from the operator of the property that the notice of completion as specified in section 6619(c) has been received, and the restricted entry interval has expired or the operator of the property has assured that the restrictions and exceptions pursuant to section 6770(d) have been met.
- (d) The operator of the property and any hired employer shall not allow or direct any of his or her employees to enter a treated field before the restricted entry interval stated on pesticide product labeling or listed in section 6772 has expired except as provided below or otherwise expressly authorized by the director pursuant to Title 40 Code of Federal Regulations, Part 170.603(c).
 - (1) **Pesticide Handling Activities.** Employees may enter a treated field during a restricted entry interval to conduct pesticide handling activities, including soil incorporation (mechanical or watered-in), provided the employer assures that they are wearing the personal protective equipment specified on the pesticide product labeling for handling activities.

(2) **No contact activities.** Employees may enter a treated field during a restricted entry interval provided the employer assures that:

(A) There will be no contact with anything that has been treated, including soil, water, air, equipment, or plant surfaces.

(B) Inhalation exposure does not exceed any pesticide product labeling standard or, for enclosed space, the ventilation criteria in section 6769 have been met.

(3) **Short-term, limited-contact activities.** Employee may enter a treated field during a restricted entry interval specified on pesticide product labeling to conduct limited contact activities (including limited contact irrigation) that are necessary and unforeseen, provided the employer assures that:

(A) The restricted entry interval is not for a pesticide product with the requirement on the labeling for both oral notification and the posting of treated fields (double notification);

(B) At least four hours have elapsed since the end of the application;

(C) Inhalation exposure does not exceed the applicable pesticide product labeling standard or for enclosed space, the ventilation criteria in section 6769 have been met;

(D) Exposure is minimal and limited to the feet, legs (below the knees), hands, and forearms (below the elbows);

(E) The personal protective equipment required for early entry is used by the employees. The personal protective equipment and/or work clothing must conform with the label requirements for early entry PPE or consist of at least coveralls, socks, chemical resistant footwear, chemical resistant gloves, and protective eyewear (if eyewear is required by the pesticide product labeling for early entry workers) whichever is more protective;

(F) The time in treated fields under a restricted entry interval does not exceed 8 hours in any 24-hour period for each employee entering under this exception; and

(G) No hand labor activities are performed.

(4) **Short-term, high-contact activities.** Employees may enter a treated field during a restricted entry interval specified on pesticide product labeling to conduct other activities, not included in (d)(1), (2), and (3) that do not involve hand labor provided the employer assures that:

(A) At least four hours have elapsed since the end of the application;

(B) Inhalation exposure does not exceed any pesticide product labeling standard or the ventilation criteria in section 6769 have been met;

(C) The personal protective equipment specified on pesticide product labeling for early entry is used by the employees. The personal protective equipment and/or work clothing must either conform with the label requirements for early entry PPE; or consist of at least coveralls, socks, chemical resistant footwear, chemical resistant gloves, and protective eyewear (if eyewear is required by the pesticide labeling for early entry workers), whichever is more protective; and

(D) Entry does not exceed one hour in any 24-hour period for any employee.

(e) Employees may enter a treated field after the expiration of the restricted entry interval specified on pesticide product labeling and while a restricted entry interval specified in section 6772 is in effect to conduct activities, other than hand labor, provided that employees are wearing work clothing with long sleeves and legs, shoes with socks, and gloves.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code.

6771. Requirements for Early Entry Employees.

(a) Before any employee may enter a field under restricted entry as permitted by section 6770, the employer shall assure that the employee has been informed orally of the following in a manner that he or she can understand;

- (1) Location of early-entry area where work activities are to be performed;
- (2) Pesticide(s) applied;
- (3) Dates and times that the restricted-entry interval begins and ends;
- (4) Specific restrictions and conditions pursuant to section 6770 about the work activity to be performed:
- (5) Pesticide product labeling precautionary statements related to human hazards;
- (6) Symptoms of poisoning;
- (7) Emergency first aid and decontamination procedures for pesticide injuries or poisonings, including emergency eye flushing techniques;
- (8) How to obtain emergency medical care;
- (9) The prevention, recognition, and first aid for heat-related illness if personal protective equipment is used in accordance with Title 8 of the California Code of Regulations, section 3395;
- (10) Location of the Pesticide Safety Information Series leaflets A-8 and A-9 as required by sections 6723 and 6761;
- (11) The need for, use, and care of personal protective equipment required for early entry into treated fields;
- (12) That clothing and personal protective equipment may be contaminated with pesticide residues;
- (13) Instructions for removing and storing such clothing and equipment, and laundering such equipment; and
- (14) The importance of washing thoroughly at the end of the exposure period.

(b) The employer shall provide all required personal protective equipment and provide for its cleaning (according to pesticide labeling instructions or, absent any instructions, washed in detergent and hot water), repair and replacement when it cannot be adequately cleaned or properly repaired. The employer shall assure that all personal protective equipment is inspected before each day of use. The employer shall assure that all personal protective equipment is kept separate from personal clothing, in a pesticide free, specifically designated place, when not in use. All required personal protective equipment required for fieldworker employees must meet the applicable standards in section 6738 through 6739

(c) The employer shall assure that personal protective equipment is used correctly for its intended purpose.

(d) The employer shall assure that cleaned personal protective equipment is dried or stored in a well ventilated place to dry. The employer shall assure that contaminated personal protective equipment is kept and washed separately from other clothing or laundry.

(e) Personal protective equipment must remain the property of the employer. Employees shall not be allowed or directed to take home pesticide contaminated personal protective equipment. The employer shall inform any person who cleans or launders personal protective equipment that the equipment may be contaminated, about the hazards presented, and how to properly handle and clean it.

(f) The employer shall assure that at least one pint of eyeflush water is immediately accessible (carried by the employee or on the vehicle being operated by the employee) to each employee who is performing, during any restricted entry interval specified on pesticide product labeling, early entry activities in a treated field for which the pesticide product labeling requires protective eyewear.

(g) The employer shall assure that employees engaged in tasks pursuant to section 6770(d) are provided, at the place where they remove personal protective equipment, at least three gallons of water per employee, soap, and clean or single use towels so that they may wash thoroughly at the end of the exposure period. The water shall be of a quality and temperature that will not cause illness or injury when it contacts the skin or eyes or if it is swallowed, and shall be stored separate from that used for mixing with pesticides unless the tank holding water for mixing with pesticides is equipped with appropriate valves to prevent back flow of pesticides into the water.

(h) The employer shall assure that a clean, pesticide-free place for storing personal clothing and putting on personal protective equipment at the start of work and taking off personal protective equipment at the end of the exposure period is provided for employees.

(i) The employer shall take appropriate measures to prevent heat related illness, when necessary.

(j) The employer shall assure that one clean change of coveralls is available for employees engaged in tasks pursuant to section 6770(d) at the decontamination site.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code.

6772. Restricted Entry Intervals.

(a) The restricted entry intervals specified in this section shall be applied according to the following:

(1) Other restricted entry intervals are found on pesticide product labeling. In case of an inconsistency between the pesticide product labeling and this section, the longer restricted entry interval shall be followed;

(2) If more than one restricted entry interval in this section is applicable to a given situation, the longer restricted entry interval shall apply, except as provided in section 6774;

(3) When reference is made to pounds of a pesticide in a restricted entry interval, the reference means pounds of active ingredient;

(4) A day is considered to be a 24-hour period beginning at the conclusion of the application to the identified field or portion of a field.

(b) The restricted entry intervals in days in the following table apply to the pesticide/crop combinations listed.

Pesticide	Crops					Other Crops
	Apples	Citrus	Corn	Grapes	Peaches / Nectarines	
Azinphos-methyl (Guthion)	14(B)	30		21	14(B)	14(A)(B)
Chlorpyrifos		2				
Diazinon		5		5	5	
Endosulfan (Thiodan)	2	2	2	2	2	2
Malathion		1		1	1	
Methidathion (Supracide)		30				
Methomyl (Lannate)				7(C)		
Parathion-methyl (non encapsulated)	14	14(D)	14(D)	14(E)	21	14(D)
Phorate (Thimet)			7			
Phosmet (Imidan)				5	5	
Propargite (Omite, Comite)	21	42	7	30	21	21(F)(G)
Sulfur				3(H)		

Footnotes:

(A) This restricted entry interval for other crops applies to stone fruit, such as apricots, cherries, plums, and prunes, and pome fruit, such as pears, only. Stone fruit does not include almonds and other nut crops.

(B) If the total Azinphos-methyl applied in the current calendar year is 1.0 pounds per acre or less, thinning may be done after seven days.

(C) Applications of methomyl made after August 15, have a 21-day restricted entry interval. This interval may be terminated after 10 days if leaf samples tested pursuant to section 6774 (c)(4) show 0.1 micrograms per square centimeter or less of dislodgeable foliar residue of methomyl.

(D) This restricted entry interval applies only when more than one pound per acre of non-encapsulated parathion-methyl is applied.

(E) The restricted entry interval for non-encapsulated parathion-methyl on grapes in Monterey County is six days.

(F) The restricted entry interval for strawberries and field grown roses treated with propargite is 3 days.

(G) The restricted entry interval for cotton fields treated with propargite is 7 days. However, from the end of the restricted entry interval until the beginning of harvest, the employer shall assure that employees entering propargite treated cotton fields wear work clothing with long sleeves and legs and gloves.

(H) This restricted entry interval for sulfur applies from May 15 through harvest in the counties of: Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare; and during March and April in Riverside County

INFORMATIONAL NOTE FOR section 6772: The inclusion of a reentry interval in this section does not imply that the use of a pesticide is currently registered. Consult the pesticide product labeling for permitted registered uses.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981 Food and Agricultural Code.

6774. Restricted Entry Interval Adjustments.

(a) The adjustments in this section apply only to restricted entry intervals specified in section 6772.

(b) Whenever a mixture of two or more organophosphate pesticides is applied, the restricted entry interval shall be lengthened by adding to the longest applicable restricted entry interval listed in 6772, 50 percent of the next longest applicable restricted entry interval.

(c) When there is no foliage on the plant that has been treated by a pesticide and any crop or weed cover in the treated area is not over four inches in height, the restricted entry interval shall be reduced by 50 percent, but in no case to less than the restricted entry interval specified on the pesticide product labeling.

(d) A restricted entry interval may be shortened to not less than the restricted entry interval specified on the pesticide product labeling upon verification by the county agricultural commissioner that one of the following has occurred:

- (1) Two inches of rainfall within any seven-day period following the pesticide application;
- (2) The equivalent of two inches of rainfall has been applied evenly above all plants by sprinkler irrigation equipment within any seven-day period following the pesticide application;
- (3) For tree crops, at least 50 gallons of water has been applied at one time under pressure and evenly distributed to each tree; or
- (4) The plants have been tested by a procedure acceptable to the director and determined to have no residues or to have residue levels that the director considers not to be hazardous.

(e) Whenever the pesticide product labeling specifies that a restricted entry interval be adjusted when outdoor applications are made in areas that receive less than 25 inches of average annual rainfall, the restricted entry interval specified for the dry areas shall apply to all outdoor applications in the State. A county agricultural commissioner, upon presentation of valid rainfall data from an official governmental source showing that an area within his or her county receives 25 inches or more of average annual rainfall, may exempt that area from this requirement.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981, Food and Agricultural Code.

6776. Field Postings.

(a) The operator of the property shall assure that signs are posted around treated fields in the following circumstances:

- (1) Whenever required by pesticide product labeling, unless access to the treated field is controlled in a manner that assures no employee (other than the handlers making the application) will enter, work in, remain in, or walk within 1/4 mile during the application and the restricted entry interval.

(2) Applications in an entirely enclosed space unless access is controlled in a manner that assures no employee (other than the handlers making the application) will enter, work in, remain in, or pass through the enclosed space during the application and the restricted entry interval.

(3) All other applications made in an enclosed space not specified in (2) that result in a restricted entry interval of greater than four hours, unless access to the enclosed space is controlled in a manner that assures no employee (other than the handlers making the application) will enter, work in, remain in, or walk within 1/4 mile during the application and the restricted entry interval.

(4) Any application that results in a restricted entry interval of greater than 48 hours as specified on the product label unless access to the treated field is controlled in a manner that assures no employee (other than the handlers making the application) will enter, work in, remain in, or walk within 1/4 mile during the application and the restricted entry interval.

(b) The signs shall be of a size so that the wording specified in (2) and (3) is readable and the skull and crossbones symbol is clearly visible, to a person with normal vision, from a distance of 25 feet. Signs complying with the size requirements of Title 40 Code of Federal Regulations, Part 170.409 are considered to be readable at 25 feet. The signs shall contain the following:

(1) The skull and crossbones symbol near the center of the sign;

(2) The words "DANGER" and "PELIGRO" and "PESTICIDES" and "PESTICIDAS" in the upper portion of the sign;

(3) The words "KEEP OUT" and "NO ENTRE" in the lower portion on the sign;

(4) Whenever the sign is used to indicate a restricted entry interval of more than 7 days, the following information in the lower portion of the sign:

(A) The date of unrestricted entry;

(B) The name of the operator of the property; and

(C) The field identification, (if any);

(5) All letters and the symbol shall be of a color which sharply contrasts with their immediate background; and

(6) The Spanish portion of the sign may be replaced with another non-English language which is read by a majority of workers who do not read English. The replacement sign must be in the same format and meet the same size and other requirements as the original.

(c) The signs shall:

(1) Be posted before the application begins but shall not be posted unless a pesticide application is scheduled within the next 24 hours;

(2) Remain posted and clearly legible throughout the application and the restricted entry interval; and,

(3) Be removed within three days after the end of the restricted entry interval and before any entry prohibited during a restricted entry interval.

(d) The signs shall be posted so that they are visible at all usual points of entry to the treated area, including each road, footpath, walkway, or aisle that enters the treated field, and each border with any worker housing area within 100 feet of the treated field. If there are no identified usual points of entry to the treated field, signs shall be posted at the corners of the treated field. When a treated field is adjacent to an unfenced public right-of-way, such as a road, trail, or path, additional signs shall be posted at each end of the treated field and at intervals not exceeding 600 feet along the treated field's border with the right-of-way.

(e) When a pesticide product with the signal word "DANGER" on the label, or a minimal exposure pesticide listed in section 6790, is being applied to a field through an irrigation system, signs shall be posted in the manner specified in (d). These signs shall contain the following:

- (1) An octagon stop sign symbol at least eight inches in diameter containing the word "STOP" in English;
- (2) The words "KEEP OUT" and "NO ENTRE" above the symbol and the words "PESTICIDES IN IRRIGATION WATER" and "PESTICIDAS EN AGUA de RIEGO" below the symbol;
- (3) All letters shall be at least 2-1/2 inches tall; and
- (4) All letters and the symbol shall be of a color which sharply contrasts with their immediate background.

(f) When a fumigant is applied to a field, signs shall be posted in the manner specified in (d). These signs shall contain the following information instead of the information specified in (b):

- (1) The skull and crossbones symbol; and
- (2) The following statements:
 - (A) "DANGER/PELIGRO";
 - (B) "Area under fumigation, DO NOT ENTER/NO ENTRE";
 - (C) "(Name of Fumigant) Fumigant in use";
 - (D) The date and time of the fumigation; and
 - (E) The name, address, and telephone number of the applicator.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981, Food and Agricultural Code.

6778. Records. [Repealed]

NOTE: Authority cited: Sections 407 and 12981, Food and Agricultural Code.
Reference: Sections 12980 and 12981, Food and Agricultural Code.