



State of California

Volume 2

**Pesticide
Use
Enforcement
Program
Standards
Compendium**

Laws

**Health and
Safety
Code**

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**California
Health and Safety
Code**

**Excerpts from:
Division 3. Pest Abatement,
Division 103. Disease Prevention
and Health Promotion,
and
Division 104. Environmental
Health**



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HEALTH AND SAFETY CODE

Excerpt from Division 3. Pest Abatement

Excerpts from Division 103. Disease Prevention and Health Promotion

Excerpts from Division 104. Environmental Health

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This document is provided by the California Department of Pesticide Regulation (DPR) as a courtesy to County Agricultural Commissioner (CAC) staff and others.

It includes sections of the California Health and Safety Code (HSC) dealing with reporting of pesticide illnesses, certification of vector control technicians, and pest/vector abatement. This document reproduces the statutes of the official publication released by the California Legislative Counsel.

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<https://leginfo.legislature.ca.gov/faces/codesTOCSelected.xhtml?tocCode=HSC&tocTitle=+Health+and+Safety+Code+-+HSC>

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105206. Medical supervision of employees who handle pesticides; contract with registered medical supervisor; report regarding tests ordered by medical supervisor; cholinesterase test requirements

(a) In order for an employer to satisfy their responsibilities for medical supervision of their employees who regularly handle pesticides pursuant to Section 6728 of Title 3 of the California Code of Regulations, the employer shall contract with a medical supervisor registered with the Office of Environmental Health Hazard Assessment (OEHHA).

(b) A laboratory that performs tests ordered by a medical supervisor shall report the information specified in subdivision (c) to the Department of Pesticide Regulation. Reports shall be submitted to the Department of Pesticide Regulation on, at a minimum, a monthly basis. For the purpose of meeting the requirements in subdivision (e), the reports shall be submitted via electronic media and formatted in a manner approved by the director. The Department of Pesticide Regulation shall share information from cholinesterase reports with the OEHHA and the State Department of Public Health on an ongoing basis, in an electronic format, for the purpose of meeting the requirements of subdivisions (f) and (g).

(c) The laboratory shall report all of the following information in its possession in complying with subdivision (a):

(1) The test results in International Units per milliliter of sample (IU/mL).

(2) The purpose of the test, as indicated by the medical supervisor, as a cholinesterase test requested for an agricultural worker under medical supervision, and, if so, whether it is for a baseline, follow-up, or recovery test ordered to meet the requirements of Section 6728 of Title 3 of the California Code of Regulations or for the evaluation of suspected pesticide illness.

(3) The name of the person tested.

(4) The date of birth of the person tested.

(5) The name, address, and telephone number of the medical supervisor who ordered the analysis.

(6) The name, address, and telephone number of the laboratory.

(7) The date that the sample was collected from the person and the date the result was reported.

(8) Contact information for the person tested and his or her employer, if known and readily available.

(d) The registered medical supervisor ordering a cholinesterase test for a person pursuant to subdivision (a) shall note in the test order the name of the medical supervisor and the purpose of the test, pursuant to paragraph (2) of subdivision (c), and ensure that the person tested and the employer receive a copy of the cholinesterase test results and any recommendations from the medical supervisor based upon those results within 14 days of the medical supervisor's receipt of the results. The medical supervisor shall report any worker with cholinesterase depression indicating pesticide exposure to the local health officer pursuant to Section 105200.

(e) All information reported pursuant to this section shall be confidential, as provided in Section 100330, except that the OEHHA, the Department of Pesticide Regulation, and the State Department of Public Health may share the information for purposes of surveillance, case management, investigation, environmental remediation, or abatement with the appropriate county agricultural commissioner and local health officer.

105206. continued

(f) The OEHHA shall establish a procedure for registering and deregistering medical supervisors for purposes of outreach and training and may establish reasonable requirements for performance. The OEHHA shall review the cholinesterase test results and may provide an appropriate medical or toxicological consultation to the medical supervisor. In addition to the duties performed pursuant to Section 105210, the OEHHA, in consultation with the Department of Pesticide Regulation and the local health officer, may provide medical and toxicological consultation, as appropriate, to the county agricultural commissioner to address medical issues related to the investigation of cholinesterase inhibitor-related illness.

(g) The Department of Pesticide Regulation and the OEHHA shall prepare and publicly post an update on the effectiveness of the medical supervision program and the utility of laboratory-based reporting of cholinesterase testing for illness surveillance and prevention by January 1, 2021.

(h) This section shall remain in effect only until January 1, 2023, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2023, deletes or extends that date.

(Amended by Stats. 2021, Ch. 124, Section 32. (AB 938) Effective January 1, 2022.

Repealed as of January 1, 2023 by its own provisions.)

105210. Request for assistance by local officer; epidemiologic investigation;
recommendations

After consultation with the county agricultural commissioner or the Director of Agriculture, the local health officer may, upon his determination that pesticide poisoning is serious and that an outbreak in pesticide poisoning or any disease or condition caused by pesticide poisoning has occurred in his county, request assistance by the state department. Upon such request, the director shall provide the local health officer with the necessary staff and technical assistance to conduct an epidemiologic investigation of the outbreak, and where appropriate, shall make recommendation to control or prevent such poisoning outbreaks.

(Added by Stats. 1995, Ch. 415, Section 5. (SB 1360) Effective January 1, 1996.)