Regulation to Address Pesticide Use Near Schools and Child Day Care Facilities

November 2017
Objectives and scope of regulation

- Provide minimum standards for applications near schools and child day care facilities (schoolsites)
- Provide extra margin of safety in case of unintended drift
- Increase communication between growers and schoolsites
- Provide information to schoolsites for emergency preparedness
- Regulation includes application restrictions and annual notification
Pesticide applications and schoolsites affected

- **Pesticide applications included**: applications to an agricultural commodity within ¼ mile (1,320 feet) of a schoolsite

- **Schoolsites include**:
  - Public K-12 schools
  - Licensed child day care facilities, except family day care homes
  - Adjacent parks regularly used by schoolsite, as identified by county agricultural commissioner (CAC)
Application restrictions: minimum distance

- A minimum distance between application and schoolsite is required Mon – Fri, 6am – 6pm, with some exceptions
  - \(\frac{1}{4}\) mi (1,320 ft) for potentially higher drift applications, such as by aircraft
  - 25 ft for lower drift applications, such as most tractor (ground-rig) applications
  - No minimum distance for negligible drift applications, such as within a greenhouse
  - No minimum distance when no classes scheduled or child day care closed
Other application restrictions

- Grower, school principal or day care administrator, and CAC can negotiate a written agreement that achieves the same or greater level of protection as the regulation.

- For fumigant applications within ¼ mile of a schoolsite, 36 hours must elapse from end of fumigation until classes start, day care opens.
Notification to schoolsites and CAC

• Grower must provide **annual** notification to schoolsites within ¼ mile and CAC by Apr 30 and include:
  – Summary of regulation and required statements
  – Map showing location of field(s) and schoolsite
  – Grower and CAC contact information
  – National Pesticide Information Center (NPIC) website
  – List of pesticides expected to be used Jul-Jun – pesticides not on list must be added at least 48 hours prior to use
  – Option for 3-party agreement

• Grower retains notifications for 2 years
Notification requirements for new growers – change of property operator

• New growers must provide notification within 30 days of assuming control of property and at least 48 hours prior to use

• New grower’s first notification includes list of expected pesticides through June 30 of following year, a period of 6 to 18 months
Actions school or day care facility could take

• Provide parents and staff copies of notifications

• Negotiate an agreement with grower and CAC for alternative application restrictions that achieve the same or greater level of protection as the regulation
Timeline

- January 1, 2018: application restrictions go into effect

- No later than April 30, beginning in 2018: annual notifications must be submitted for Jul-Jun applications
  - New growers must provide notification within 30 days of assuming control of property
### Summary of regulation

<table>
<thead>
<tr>
<th>Type of Requirement</th>
<th>Requirement Based on Drift Class</th>
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<tbody>
<tr>
<td></td>
<td>Higher</td>
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<tr>
<td>Minimum Distance Between Application and Schoolsite, Mon-Fri, 6:00am-6:00pm</td>
<td>¼ mile</td>
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<tr>
<td>Annual Notification of Pesticides Expected to be Used Within ¼ mi of Schoolsite</td>
<td>Yes</td>
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</tbody>
</table>

- Grower, schoolsite, and CAC can negotiate agreement that achieves the same or greater level of protection as the regulation.
- For fumigations within ¼ mile of a schoolsite, 36 hours must elapse from end of fumigation until classes start, day care opens.
Sources of additional information

- DPR website: www.cdpr.ca.gov/schoolnotify/
- County agricultural commissioner: www.cdfa.ca.gov/exec/county/countymap/