

Worker Protection FAQ for 2017

Question: If a staffing agency is providing workers to the property operator, who is responsible to train employees?

Answer: *The employer shall assure each employee working in a treated field or who handles pesticides is trained. The person (property operator, staffing agency, or farm labor contractor) directing and controlling or supervising the workers would be responsible to provide training.*

Question: Did U.S. EPA discontinue issuance of the blue training verification cards?

Answer: *Yes, therefore the California Code of Regulations (CCR) was revised accordingly.*

Question: Do training materials for training handlers and for training fieldworkers have to be U.S. EPA-approved?

Answer: *No, because in California, the training requirements are contained within the California Code of Regulations (CCR).*

Question: Is the AEZ (application exclusion zone) another term for buffer zone?

Answer: *No, the AEZ is a new concept which describes the area surrounding the application equipment during an application. As the application equipment moves, the AEZ moves with it. The labeled or permit-conditioned buffer zones must still be complied with.*

Question: Is it okay for employees to perform field work in an untreated section of a field under pesticide treatment, as long as the workers are outside of the AEZ?

Answer: *There was no change in requirements pertaining to workers outside of an AEZ in an untreated section of a field being treated.*

Question: Is it the product label Restricted Entry Interval (REI) or the CCR REI duration which determines the new posting requirement?

Answer: *Currently, the California regulations do not specify, which means that either the label REI or the CCR REI, whichever is most restrictive, determines the posting. However, DPR is considering revising CCR to refer only to the label REI for determining the posting requirement.*

Question: Now that hoop houses are included in the definition of Enclosed Space, if there is an application to several adjacent hoop houses, does each one have to be posted or just the outer ones?

Answer: *There was no change in the posting location requirements, including allowing reduced posting if employee access is controlled as described in CCR.*

Question: The definition of AEZ states “free of all persons”, but the specific AEZ applicator requirement in CCR 6762 only pertains to employers directing employees. Does the applicator need to consider occupants in nearby housing?

Answer: *For purposes of the AEZ, the employer-employee requirement was added to CCR. Existing regulations in California already provide for protecting non-target areas and for protecting bystanders from pesticide application drift. Any current requirements pertaining to neighboring properties are unchanged.*