



Volume 2

**Pesticide
Use
Enforcement
Program
Standards
Compendium**

Regulations

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**California
Code of
Regulations**

Title 3. Food and Agriculture

**Division 6.
Pesticides
and
Pest Control Operations**



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Article 4. Pest Control Aircraft Pilot's Certificate
Sections 6540-6544

6540. Apprentice Pilot Supervision.

(a) The journeyman pilot responsible for supervision of an apprentice pilot shall be aware of the conditions at the application site and be available to direct and control the manner in which applications are made by the apprentice. The availability of the journeyman shall be directly related to the actual or potential hazard of the situation.

(b) A manned aircraft apprentice pilot shall be supervised by a manned aircraft journeyman pilot and earn the required hour of operation in a manned aircraft.

NOTE: Authority cited: Section 11456, Food and Agricultural Code.

Reference: Sections 11908 and 11909, Food and Agricultural Code.

HISTORY:

1. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).

2. Designation of section as subsection (a) and new subsection (b) filed 4-22-2019; operative 7-1-2019 (Register 2019, No. 17).

6542. Registration.

(a) Each pest control aircraft pilot who registers as an apprentice pilot in any county shall include on the registration form the name of the journeyman pilot responsible for providing supervision of the pest control activities of such apprentice. The journeyman pilot named on the apprentice pilot's county registration must be currently registered with that county.

(b) The apprentice pilot shall immediately notify the commissioner and amend the registration in the event the journeyman pilot named on the apprentice's registration is no longer able to provide such apprentice with supervision.

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

Reference: Sections 11921 and 11924, Food and Agricultural Code.

HISTORY:

1. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).

6544. Pesticide Handling by Pilots.

Pilots who operate pest control aircraft shall not transfer, mix or load liquid category one or two pesticides containing organophosphates or carbamates unless a closed system is used.

NOTE: Authority cited: Sections 11456, 11502, 12976 and 12981, Food and Agricultural Code.

HISTORY:

1. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).

Article 5. Agricultural Pest Control Adviser Licenses
Sections 6550-6558

6550. Minimum Qualifications.

(a) A person who has never held an agricultural pest control adviser license shall meet one of the following minimum qualifications:

(1) Graduated from college with a bachelor's degree in agricultural sciences, biological sciences, natural sciences, or pest management which includes completing the baccalaureate and/or post-baccalaureate curricula specified in (b); or

(2) Graduated from an accredited doctoral degree program in agricultural sciences, biological sciences, natural sciences, or pest management; or

(3) Completed the required curricula specified in (b) and 24 months of technical experience working:

(A) for a licensed agricultural pest control adviser;

(B) for a pest management specialist including, but not limited to, a farm adviser, certified commercial applicator, certified private applicator, or licensed pest control dealer;

(C) as a field sweeper, field checker or scout;

(D) as a participant in field or laboratory research activities relating to pest control;

(E) as a participant in agricultural pest control/management activities for a federal, state, or county entity;

(F) as a qualified applicator licensee pursuant to Division 6, Chapter 8, commencing with Food and Agricultural Code Section 12201, employed by a licensed pest control business except that no more than 12 months experience solely in the categories specified in Subsections 6530(b) and (k) shall be used;

(G) as a licensed structural pest control operator or field representative for a registered structural pest control company except that no more than 12 months experience shall be used

(H) as a farm operator involved in agricultural pest control/management activities; or

(I) as an assistant to, or work as, a certified crop adviser accredited by the American Society of Agronomy.

(b) To satisfy the requirements of the college-level curricula specified in (a)(1) and (3), 42 semester or 63 quarter units in the following core-course categories shall be completed with a 2.0 grade-point average or better:

(1) Physical and Biological Sciences - 12 semester or 18 quarter units in this category which includes introduction to inorganic chemistry, organic chemistry, biochemistry, plant biology or botany, general ecology, biology, genetics, plant physiology, and zoology.

(2) Crop Health - 9 semester or 13.5 quarter units in this category which includes courses in soils and irrigation, as well as introductory courses in vegetative management or weed science; plant pathology; entomology; plant nutrition or fertility; nematology; and vertebrate management. A current crop adviser certificate accredited by the American Society of Agronomy can count towards 3 semester or 4.5 quarter units.

(A) For course titles such as Senior Project, Internship, Cooperative Work Experience, Independent Study, Dissertation, and Thesis, only a total of 3 semester or 4.5 quarter units will be allowed. The applicant shall include a course or project description, and a justification for the course category and principal area of study within the category to be accepted for credit.

6619. continued

(h) A pest control business shall maintain a written record that documents the following:

- (1) The name of the operator of the property treated;
- (2) The location of the property, including the site identification number;
- (3) The date and time the notice of completed application was given; and
- (4) The method of notification, including the name of the person notified, if a person was notified.

(i) The records required pursuant to this section must be retained for two years and made promptly available to the director or commissioner upon request.

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

HISTORY:

1. New section filed 12-22-89; operative 1-1-90 (Register 90, No. 1).
2. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).
3. Amendment of section heading and section filed 8-13-2009; operative 9-12-2009 (Register 2009, No. 33).
4. Amendment of subsections (a)(4) and (b) filed 10-17-2016; operative 1-2-2017 pursuant to Government Code Section 11343.4(b)(2) (Register 2016, No. 43).
5. Amendment of subsection (b) filed 12-20-2017; operative 3-1-2018 pursuant to Government Code Section 11343.4(b)(3) (Register 2017, No. 51).

6620. Vector Control Exemption.

(a) Sections 6616 (Consent to Apply) and 6618 (Notice) shall not apply to a public agency or its contractor operating under a cooperative agreement with the Department of Public Health pursuant to Section 116180 of the Health and Safety Code.

(b) Section 6614(b)(1) (Protection of Persons, Animals and Property) shall not apply to persons or agencies specified in this section when the pesticide used is registered for use in residential areas for purposes of vector control and is used in accordance with that registered labeling.

(c) These exemptions are not intended to affect liability for damage as a result of an application made pursuant to this section.

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

HISTORY:

1. Amendment of subsection (b) filed 5-24-85; effective upon filing pursuant to Government Code Section 11346.2(d) (Register 85, No. 22).

2. Change without regulatory effect amending NOTE filed 6-20-2001 pursuant to Section 100, Title 1, California Code of Regulations (Register 2001, No. 25).

3. Change without regulatory effect amending subsection (b) filed 3-19-2008 pursuant to Section 100, Title 1, California Code of Regulations (Register 2008, No. 12).

4. Editorial correction restoring inadvertently omitted text in subsection (a) (Register 2009, No. 35).

5. Change without regulatory effect amending subsection (a) filed 8-26-2009 pursuant to Section 100, Title 1, California Code of Regulations (Register 2009, No. 35).

6621. Public Health Exemption.

When a local health officer declares a local health emergency or the Director of the Department of Public Health declares a health emergency pursuant to Health and Safety Code section 101080, sections 6616 (Consent to Apply) and 6618 (Notice) shall not apply to a public agency or its contractor responding to the local health emergency or health emergency during the duration of the declared emergency.

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

HISTORY:

1. New section filed 4-6-20; operative 4-6-20 pursuant to Government Code Section 11343.4(b)(3) (Register 20; No. 15).