

Chapter 4

Pesticide Use Reporting and Operator Identification Numbers

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Section 4.1 Chapter Overview

Introduction Title 3 of the California Code of Regulations (3 CCR) sections 6622 – 6628 addresses pesticide use record keeping, operator identification numbers, site identification numbers, and reporting requirements for property operators and pest control businesses.

CAC collects pesticide use data The county agricultural commissioners (CACs) and their staff provide an enforcement role to carry out the laws and regulations of the Department. Relative to the pesticide use reporting program, including restricted materials permits and notices of intent, counties:

- Assign operator identification numbers (OINs).
- Review grower maps and maintain a list of site identification (site ID) numbers.
- DPR contracts with the California Agricultural Commissioner and Sealer Association (CACASA) for pesticide use report (PUR) data entry. CACASA sub-contracts with the individual CACs. The contract requires CACs to:
 - Review electronic PURs and collect and enter paper PURs in CalAgPermits,
 - Transmit PURs to DPR (as required by FAC section 14012(b)) through CalAgPermits, and
 - Address PUR data errors identified by CalAgPermits or validation errors returned to the CAC by DPR.
- Respond to public information requests for county PUR data.

DPR collects pesticide use data from CAC DPR has the responsibility to collect pesticide use data from the CACs and:

- Review, validate, and transfer the data to a central DPR database,
- Identify errors and return to CAC for corrections,
- Compile the data for annual reports,
- Respond to public requests for data,
- Place the data on DPR’s web site for queries and reports through the California Pesticide Information Portal (CalPIP) at <http://calpip.cdpr.ca.gov/main.cfm>, and
- Place a copy of the data used in annual reports on DPR’s Data Archive site at https://files.cdpr.ca.gov/pub/outgoing/pur_archives/.

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Chapter Overview, Continued

Public Records Act disclosures Any information required to be recorded on a pesticide use report is subject to public disclosure under provisions of the California Public Records Act, with some exceptions which the law requires to be kept confidential.

DPR annual PUR report DPR collects the submitted PUR data from the CACs and generates an annual report including statewide and county summary reports by chemical (active ingredient) and commodity, top five chemical and commodity reports, a top 100 chemical report, and a trends analysis of certain chemical and commodity categories.

These reports and other related informational materials are available on DPR's web site at <https://www.cdpr.ca.gov/pesticide-use-in-california/pesticide-use-reporting/>.

How the PUR data is used The PUR data are used by many groups such as governmental agencies, educational institutions, environmental groups, public interest organizations, and research companies. The data is used to make decisions affecting human health, ground and surface water, air, and the environment, including:

- Estimating dietary risk,
- Ensuring compliance with clean air laws and ground water regulations,
- Analyzing how, when, and where pesticides are used on crops when considering reduced-risk pest management alternatives,
- Determining potential endangered species habitat issues using geographic data,
- Calculating the amount of VOC emissions in nonattainment areas, and
- Evaluating possible human illness clusters in epidemiological studies.

CalPIP DPR offers an interactive website called the California Pesticide Information Portal (CalPIP) where interested parties can conduct a customized query of select information in the pesticide use reporting database. The result of the query is sent directly to their e-mail address. Many of the most commonly used data fields in DPR's PUR data are available. CalPIP is available at <http://calpip.cdpr.ca.gov/main.cfm>.

Section 4.2

Operator Identification and Site Identification Numbers

Operator identification number

The operator identification number (OIN or Op-ID) requirement was adopted in 1990 to implement the full use reporting program, using authority for the pesticide residue monitoring program (Chapter 1200, Statutes of 1989). It is not a stand-alone licensing program.

An OIN is an “identification” number issued to property operators and entered on their pesticide use report. The OIN is issued specifically for management of pesticide use data to identify a unique entity.

The CAC issues an OIN to the operator of the property (or the operator’s authorized representative) in order to purchase and use pesticides for a specified period not to exceed 36 months.

The OIN is recorded on the restricted material permit.

OINs are required prior to the purchase and use of pesticides:

- for the production of an “agricultural commodity” (3 CCR section 6000); or
- for non-production agricultural use and certain non-agricultural uses where:
 - the pesticide is intended for “agricultural use” (see exceptions below),
 - Any pesticide in 3 CCR section 6400 (including federal restricted use pesticides),
 - pesticides for industrial use as a post-harvest commodity treatment, or
 - Groundwater pesticides for outdoor industrial or institutional use.

Why can’t OINs be refused or revoked?

3CCR section 6622 states the operator of the property to be treated shall be issued an OIN from the CAC of each county in which the operator intends to perform pest control. The regulation allows anyone to apply for and receive an OIN. There are no provisions to revoke, deny, or suspend an OIN. Much like a social security number is necessary to secure employment and report wages and earnings, an OIN is strictly an identification number. The OIN is necessary to purchase pesticides and report pesticide use. Without an OIN, the property operator cannot purchase agricultural or restricted-use pesticides or perform pesticide work and DPR could not track the pesticide use.

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Operator Identification and Site Identification Numbers, Continued

Exemptions to operator ID number

An OIN is not required:

- When the property is not involved in the production of an agricultural commodity **and** pesticides are purchased and applied by a licensed pest control business.
- When pesticides are applied by a licensed pest control business (see also *Management firms* below).
- For use on Livestock – See “Livestock producing facility” in Section 4.4.
- For pesticides exempt from registration.

Responsibilities of the operator of the property

As applicable, the operator of the property must obtain an OIN and site ID numbers from the CAC of each county in which pest control work is to be performed.

The operator of the property shall:

- provide the CAC with a list of all counties in which pest control work is to be performed,
- provide each pest control business applying pesticides to their property with their OIN and site ID numbers, and
- submit use reports to the CAC for the pesticides they apply – See *Reporting timelines* in Section 4.3.

Site identification number

Prior to the use of a pesticide for production agricultural pest control, the operator of the property shall obtain site identification (ID) numbers from the CAC for each site where pest control work will be performed. It is issued concurrent with an OIN.

A separate site ID number is required for any field, or portion of a field that is within ¼ mile of a schoolsite, as defined in section 6690. In some cases, it may not be feasible to divide sites up in this fashion. The operator of the property may choose to designate that areas beyond this distance are also subject the application requirements of sections 6690-6692.

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Operator Identification and Site Identification Numbers, Continued

Management firms

Interprets 3 CCR sections 6000, 6622

For purposes of this discussion, a “management firm” is a business that provides operational assistance, support, or other pest control activities to the owner or operator of the property. The management firm may, for example, receive in compensation a fee for service; a percentage of the planting, harvest, or membership/merchandise sales; or a set dollar amount per amount planted, harvested, or sold. Common examples include farm, vineyard, and golf course management companies. A management firm should not be confused with a “partner” which has an ownership interest in the operation.

3 CCR section 6622(a) provides that pest control businesses are exempt from the requirement to obtain an OIN. 3 CCR section 6000 defines “operator of the property.” The definition includes a person who is legally entitled to possess or use the property through the terms of a “management arrangement.”

The exemption in 3 CCR section 6622(a) is conditional, in that if the management firm is considered the “operator of the property” they must obtain an OIN for the property prior to the purchase and use of registered pesticides at the property.

Whether a firm or person with a management arrangement can be considered the “operator of the property” to receive an OIN depends on whether the arrangement gives them primary responsibility for the control or management of the property.

If the management firm is in complete control of all agricultural operations at the location (including, but not limited to, cultural practices, pest control, reentry, and harvest), they should be considered the “operator of the property” and should be issued the OIN for the property. However, if the property owner or operator has control over any agricultural operations, they must be considered in general control and be issued the OIN for the property.

Section 4.3

Pesticide Use Report Requirements

**Reportable
pesticide use**

Interprets 3 CCR sections 6622 and 6624

Pesticide applications for which pesticide use records and pesticide use reports must be made include:

- Most “agricultural use” pesticide applications:
 - All pesticides used in the production of an “agricultural commodity,” (3 CCR section 6000)
 - Non-production agriculture pesticide treatments in poultry and fish production, as well as some livestock applications, and
 - All pesticides used in non-production agricultural use settings (such as cemeteries, golf courses, parks, ditch banks, and rights-of-way).
- Post-harvest pesticide treatments of agricultural commodities (whether on-farm or industrial use).
- Any restricted material as listed in 3 CCR section 6400 (including all federally restricted use pesticides).
- All pesticide applications by pest control businesses (agricultural or structural).
- Pesticides listed in the Groundwater Protection List (3 CCR section 6800(b)) for any outdoor institutional or outdoor industrial used.

See Compendium Volume 7, Section 1.1 for a discussion of agricultural and non-agricultural use.

**Not reportable
pesticide use**

General-use pesticide applications not reported include:

- Home and garden use (see *Home gardens* in Section 4.4 for an exception),
 - Most industrial and institutional uses,
 - The control of an animal pest under the written prescription of a veterinarian,
 - Vector control districts operating under a cooperative agreement with the Department of Public Health (however, this use is reported to CACs, see *Vector control* in Section 4.4 below),
 - FIFRA 25b pesticides, and
 - Pesticides applied by federal employees on federal land.
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Pesticide Use Report Requirements, Continued

What type of information is reported

Interprets 3 CCR sections 6626 and 6627

There are various PUR reporting forms and information, depending on the pesticide application (<https://www.cdpr.ca.gov/pesticide-use-in-california/pesticide-use-reporting/>).

The data required to be reported for Production Agriculture PUR includes:

- Date and time the application was completed
- Name of the operator of the property treated and OIN
- Location of the property treated (site ID number, county, meridian-township-range-section)
- Crop, commodity, or site treated
- Total acreage or units treated at the site
- Total planted acres or units at the site
- Name, U.S. EPA or State registration number, amount, and units of the undiluted product used
- Method of application (air, ground, fumigation, other)
 - Field fumigation method code for soil fumigants, see Volume 3 Appendix N for the list of field fumigation method codes
 - Method code for applications within ¼ mile of a school, see Volume 3 Appendix P for the list of method codes
- Preplant (if applicable)
- Pest control business name, if pesticide applied by a business

The data required to be reported on the *Monthly Summary Pesticide Use Report* form includes:

- Month of application
- Name of the operator of the property or pest control business
- Permit / operator ID number OR agricultural or structural business license number
- County name and number
- Pesticide product name,
- U.S. EPA or State registration number,
- Number of applications (except for structural uses),
- Amount and units of the undiluted product used for the month by crop, commodity, or site

Note: Pesticide use records for each application required to be maintained by 3 CCR section 6624 or 16 CCR section 1970 are more detailed than what is reported on the *Monthly Summary* use report form.

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Pesticide Use Report Requirements, Continued

Pesticide use records

Interprets 3 CCR section 6624 and 16 CCR section 1970

Pesticide use records must be retained by the applicator (e.g., grower, pest control business) for two years (three years for structural applications) and made promptly available to the director or CAC upon request.

Reporting timelines

Interprets 3 CCR sections 6626 and 6627 and B&PC section 8505.17(c)

- Production agricultural PURs must be submitted to the CAC of the county where the pest control was performed by the 10th day of the month following the month in which the work was performed.
 - Production agriculture pest control business applications must be reported to the CAC within seven days of completion. The grower or property operator *should not* include applications made by pest control businesses on his/her use report to the county.
 - A pest control business, in addition to assuring the grower receives a completion notice within 24 hours of a production agricultural pesticide application (3CCR section 6619), shall send a copy of the PUR to the operator of the property within 30 days of completion of the pesticide application.
 - Monthly Summary PURs are submitted to the CAC of the county where the pest control was performed by the 10th day of the month following the month that the work was performed.
-

School and daycare pesticide use reporting

Interprets 3 CCR section 6625 and 6627

Pest control businesses (including maintenance gardeners) must include pesticide applications at school sites on their monthly report form to the CAC.

At least annually (by January 30), pest control businesses (including maintenance gardeners) and school staff must submit a detailed report of pesticide use at school sites directly to DPR. School pesticide use reporting to DPR is maintained in a separate database.

Information, training, and the reporting form and instructions are available on DPR's School and Child Care IPM website at <https://www.cdpr.ca.gov/healthy-schools-act/>.

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Pesticide Use Report Requirements, Continued

**Negative
pesticide use
reports**

Interprets 3 CCR section 6628

Licensed agricultural and structural pest control businesses must submit negative (or “no use”) PURs for months in which no pesticides were applied. Negative PURs must be submitted to CACs the business has registered with by the 10th day of the following month.

Negative PURs are not required of property operators.

Section 4.4 Interpretations and Scenarios

Introduction The Pesticide Use Reporting program requires reporting a variety of use sites, types of use, locations of use, and by a variety of users. This section contains interpretations and descriptions of some exceptional situations.

Agricultural research See Compendium Volume 7, Section 9.4 *Pesticide Use Reporting for Research*.

Apiaries **Interprets 3 CCR sections 6622 and 6623**

Applications to apiaries, other than to apiaries where the honey produced is only for home use, are an “agricultural use” per FAC section 11408, however, a Site ID is not required because they are not an “agricultural commodity” per 3CCR section 6000. They report their pesticide use on the *Monthly Summary Pesticide Use Report* using the beehive commodity code (61008). Note that FAC Division 13 requires all apiary operators to register their hives annually.

Aquatic treatment Aquatic treatments can be categorized as either industrial or non-production agricultural use, depending on the situation. Reporting should be done on the *Monthly Summary Pesticide Use Report*.

Industrial: These uses do not require reporting unless the pesticide is California or federally restricted or applied by a licensed pest control business. Examples:

- Treatment of settling ponds at sewage treatment plants.
- Chlorination of drinking water at a water treatment facility.
- Reservoirs located on property associated with an industrial site or used in an industrial activity (as part of an industrial complex or a processing plant).

Non-production agriculture: These uses require an OIN and PURs. Examples:

- Pesticides on or around reservoirs used for irrigation of crops or livestock watering.
 - Treatment of water in recreational areas to control aquatic weeds or other pests.
 - Application of pesticides to control vegetation in the marshland areas of hunting clubs or wildlife
-

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Interpretations and Scenarios, Continued

Band, spot, or strip treatments

Band, spot, or strip treatments are reported as total acreage treated at the site.

Example: Grower applies a four-foot strip of herbicides to the tree rows of a 100 acre almond orchard (*Note:* the width of the treated strip is unimportant). Report this as 100 acres of almonds treated. If half of the tree rows of the total 100 acres were strip treated, report this as 50 acres of almonds treated.

CAC pest control

The CAC reports rodenticide and right-of-way herbicide applications on the *Monthly Summary Pesticide Use Report*.

Caltrans reporting

Prior to the use of agricultural pesticides in a county, the California Department of Transportation (Caltrans) District Landscape Specialist will obtain an OIN from each of their counties where pest control work will be performed. The Caltrans statewide-designated pesticide purchaser must provide the dealer who was awarded the statewide contract with Caltrans' OINs.

Caltrans submits their MSPUR data directly to CalAgPermits. They use "00000CALTRANS" as the license number and commodity code 40 on their reports.

Chlorine

Post-harvest commodity treatment: When the pesticide label and the use **clearly indicate** that chlorine is being used as a post-harvest commodity rinse, dip, or wash, it is reported on a *Monthly Summary Pesticide Use Report* indicating the specific commodity being treated.

Industrial Use: Chlorinating products used in food processing facilities and packing houses as sanitizing agents for equipment, in flume water for slime control, for water treatment to reduce microbial build up, are considered industrial uses and therefore do not need to be reported.

Pool use: There are no reporting requirements.

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Interpretations and Scenarios, Continued

Construction site

Most construction sites are residential or institutional and thus are exempt from the operator ID and the PUR requirements.

Construction sites that are considered non-production agriculture (such as right-of-way or golf course or have restricted materials applied) require an OIN and reporting on the *Monthly Summary Pesticide Use Report* form. In these cases, the contractor is considered to be the operator of the property.

Dairy milking structures and equipment

The definition of “agricultural commodity” specifically exempts livestock. However, these sites are still considered “agricultural use” under *FAC section 11408*. Prior to the purchase and use of pesticides for the below examples, the property operator needs an OIN. A site ID number is not required. These uses are reported on the *Monthly Summary Pesticide Use Report*.

Pesticide use on dairy milking structures and equipment is non-production agricultural use. Pesticide applications of sanitizers and cleansers to milk-handling equipment or in the immediate vicinity of a dairy milking structure or to the dairy equipment are also considered non-production agriculture treatments.

Pesticide applications in and around farm buildings such as corrals, loafing sheds, hay barns, etc. on a dairy are considered non-production agricultural use.

Egg-laying facility

The definition of “agricultural commodity” specifically exempts poultry. However, these sites are still considered “agricultural use” under *FAC section 11408*. Pesticide use in and around buildings at the egg-laying facility or on egg handling equipment is non-production agricultural use. The property operator needs an operator ID to purchase and use pesticides. A site ID number is not required. These uses are reported on the *Monthly Summary Pesticide Use Report*.

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Interpretations and Scenarios, Continued

Exempt pesticide products

Interprets 3 CCR sections 6624, 6626 and 6627

Although considered pesticides, certain products exempt from pesticide product registration (see FIFRA section 25(b) and 3 CCR section 6147) are exempt from PURs, OINs, and thus site IDs, are only required prior to the purchase or use of registered pesticides. However, users required to maintain pesticide use records per 3 CCR section 6624 must still maintain pesticide use records detailing the use of these exempt pesticide products.

Federal facilities

As discussed in Chapter 1, persons who are either:

1. hired by a federal agency to perform pest control on federal property, or
2. persons who lease or contract for the use of federal lands for private activities (such as growing crops),

are subject to California's pesticide laws and regulations and must submit PURs to the CAC.

Fish ponds

The definition of "agricultural commodity" specifically exempts fish. However, these sites are still considered "agricultural use" under *FAC section 11408*. A fish producing facility that applies pesticides (such as algaecides, bactericides or fungicides) to the water is non-production agricultural use and an OIN is required. A site ID is not required. These uses are reported on the *Monthly Summary Pesticide Use Report*.

Materials fed to fish to control parasites and diseases are considered drugs and are not reportable.

Fumigation

In the field: Fumigations that occur in the field prior to planting or in greenhouses are agricultural applications and are date, time, and commodity specific. Pesticide use is reported on one of the Production Agriculture use report forms. The fumigation method code is required to be reported.

Post-harvest: Fumigations to a stored commodity are non-production agricultural applications and are reported on the *Monthly Summary Pesticide Use Report*. If multiple commodities are fumigated at the same time in a chamber, they are reported separately. The total product used is reported for each commodity in the chamber at the time of application.

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Interpretations and Scenarios, Continued

Livestock producing facility

The definition of “agricultural commodity” specifically exempts livestock. Thus applications made directly to livestock, as defined in FAC section 18663 (“cattle, sheep, swine, goat, or any horse, mule or other equine, whether live or dead.”), are exempt from the requirements of an OIN, site ID number, recordkeeping, and reporting (3 CCR sections 6622 – 6624 and 6627).

However, pesticide use around livestock producing facility sites are still considered “agricultural use” under FAC section 11408. Pesticide applications made around livestock buildings/areas to control flies or weeds are considered non-production agricultural use and an OIN is required. A site ID is not required. Report on the *Monthly Summary Pesticide Use Report* form.

Qualifier codes and commodity reporting

If desired by the property operator, the CAC can allow the permit/OIN and PUR to use qualifier codes to differentiate between crops grown for fresh market and those grown:

- For processing (-89).
- For seed (-04)
- As a “seedless” variety (-07)
- Organically (-60)

In general, the specific crop/commodity code should be used with the qualifier. For example, the commodity code for carrots is 29111, but if it is grown for processing the code is 29111-89, etc.

Tomatoes, Grapes and Plums are exceptions to the “-89” qualifier rule:

- The commodity code for fresh market tomatoes is 11005; the commodity code for processing tomatoes (canning, juicing, etc.) is 29136.
- The commodity code for fresh market grapes (including table grapes, raisins, canning, and juicing) is 29141; the commodity code for wine grapes is 29143.
- The commodity code for fresh market plums is 5005; the commodity code for prunes is 5006.

These designations (particularly for tomatoes, grapes, and plums) allow specific reports to be made available for accurate scientific risk assessments.

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Interpretations and Scenarios, Continued

**Home gardens/
ranchettes/
farmer's
market**

Home gardens and ranchettes that produce commodities only for **personal consumption** are exempt from the reporting requirements. This includes pesticide use on pastures for the production of livestock for **personal consumption**. DPR considers these situations home use, not agricultural.

Home and ranchette pesticide uses along fence lines and on large landscaped or unimproved areas are exempt from the reporting requirements, as these are considered home use.

The home gardens or ranchettes **producing commodities for sale** (including at the local farmers' market, roadside stands, etc.) fall under commercial production of an agricultural commodity. The homeowner or operator of the property is required to obtain an OIN and site ID number and report the use of pesticides applied to those crops as agricultural use, regardless of the size of the production area.

**Logging
contractors and
stump
treatments**

In some forests, pesticides such as growth inhibitors, herbicides or fungicides may be applied to the stumps soon after cutting. Pesticide treatments to stumps (after the logs have been removed from the site of growth) are agricultural use under FAC section 11408 and fall in the non-production agricultural use sub-category (See Compendium Volume 8, Section 1.1).

As covered in Section 3.4.4, if the logging contractor, as part of their service, applies these pesticides a PCB license is required. The use is reported on the *Monthly Summary Pesticide Use Report*.

**Non-food / non-
feed commodity
fumigation**

Fumigations of railcars with lumber, furniture, wine barrels, etc. are reported as non-food/non-feed using commodity code 91 on the *Monthly Summary Pesticide Use Report*.

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Interpretations and Scenarios, Continued

Packing house Pesticide applications in a packing house are considered industrial applications. Pesticides applied to machinery, conveyor belts or other utensils or equipment are not reported, unless restricted materials are used.

Post-harvest treatments applied directly to a commodity and restricted material uses are required to be reported

Parks and recreation commodity/site reporting Applications made by employees of the California Department of Parks and Recreation or by a private pest control company hired by the California Department of Parks and Recreation should add qualifier “-20” to the commodity/site codes.

Pheromones **Interprets FAC section 12753**

Pheromones are considered pesticides and are subject to all pesticide use reporting requirements. Report the total amount of formulated product used. For a liquid pheromone “puffer” this could be either 13.5 fluid ounces or 399 ml. For twist ties, multiply the number of dispensers used by the dispenser content (not the active ingredient per dispenser) to get ounces or grams.

Post-harvest commodity fumigation The use report must indicate the specific name of the commodity. If multiple commodities are fumigated at same time, they are reported on separate lines.

The total product used is to be reported for each commodity in the chamber at the time of application. Use the *Monthly Summary Pesticide Use Report*.

Rodenticide sales by CACs CACs who sell rodenticides to persons who have OINs from neighboring counties are not required by regulation to submit the quarterly report to those other counties since CACs are not licensed pest control dealers. DPR encourages that such quarterly use reports be sent as a courtesy to applicable counties to inform them of pest control activities and that pesticide use reports could be expected.

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Interpretations and Scenarios, Continued

Vector control The Memorandum of Understanding (MOU) between DPR, the CACs, and the California Department of Public Health (CDPH) addresses pesticide applications made by agencies with established cooperative agreements with CDPH, pursuant to Health and Safety Code section 116180.

Per FAC section 11408(e), vector control agencies that have entered into a cooperative agreement with CDPH (per Health and Safety Code 116180) are considered “non-agricultural use.” As such, normally these uses would be not reportable, unless restricted materials or groundwater protection pesticides were used. However, the CDPH cooperative agreements require districts to “voluntarily” report all pesticide use. Pesticide applications are reported on a *Monthly Summary Pesticide Use Report* using commodity code 50.

Vector control districts that have entered into a cooperative agreement with CDPH should submit Monthly Summary Pesticide Use Reports to the CAC. The CAC then transmits the data to DPR.

Per the MOU, DPR summarizes the data and annually reports the pesticide use to CDPH.

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