Laws and Regulations Update

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Presentation Overview

✧ Definition of Pesticide

✧ Personal Protective Equipment Regulations

✧ Application & Mix / Load Inspection
  • What to Expect
  • Common Violations Observed
Definition of Pesticide

- Any substance, or mixture of substances which is intended to be used for defoliating plants, regulating plant growth, or for preventing, destroying, repelling, or mitigating any pest, detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environment.
Pesticides

Include:

• Herbicide
• Insecticide
• Rodenticide
• Fungicide
• Defoliants
• Plant Growth Regulators
• Antimicrobials – disinfectants, sanitizers
Application & Mix / Load

Purpose

• To document whether handlers and employers are complying with:
  • Use conditions
  • Labeling requirements
  • Training requirements, and
  • Worker safety requirements
Requirements

- Inspector’s determination of your compliance with laws and regulations concerning
  - Application
  - Mix / Load
  - Equipment
EMPLOYERS

* shall provide all necessary PPE, as required by label, permit condition and regulation, keeping it clean and in good repair. Equipment must be inspected daily.

* Heavily contaminated PPE shall be replaced.

* Store clean PPE in a specifically designated, pesticide-free area.
EMPLOYERS

- Make sure PPE is used properly.
- Store and wash used PPE separate from other laundry. Dry PPE properly.
- Never allow contaminated PPE to be taken into worker homes. If worker does not return to headquarters, provide a sealable container for worker to store contaminated equipment outside of home.
- Make sure personnel maintaining/cleaning PPE know what they’re doing (i.e. handling pesticide contaminated clothes).
Personal Protective Equipment

- **EMPLOYEES** shall utilize the personal protective equipment provided by the employer.
Application Mix / Load

1. PCB Licensed
2. PCB Registered in the County
   • Company working in county without registering is a (FAC Section 11732) Common Violation
3. Registered Label available at the use site
4. Notice of Intent submitted (Restricted Materials)
5. Certified Applicator supervising the use of Restricted Materials (California & Federal)
6. Complies with Permit Conditions
7. Labeling – Site / Rate/Other
8. **Labeling – Personal Protective Equipment**  
   ➢ *not wearing PPE required by the label is a Common Violation*

9. **Regulations – PPE**  
   ➢ *Not wearing PPE required by Regulation is a Common Violation*

10. **Respiratory Protection**

11. **Coveralls “Warning / Danger**
Personal Protective Equipment

- EMPLOYERS shall assure that employees wear:
  - **Eye protection** when mixing/loading or applying pesticides by hand or ground rig, or otherwise exposed to contaminated equipment
  - **Chemical-resistant gloves** when mixing/loading or applying pesticides by hand or ground rig, or otherwise exposed to contaminated equipment
• **EMPLOYERS** shall assure that employees wear protective eyewear that provides **brow and temple protection**, conforming to the curvature of the face.
  - Must be ANSI Z87.1-2010 compliant. American National Standard for Occupational and Educational Personal Eye & Face Protection Devices

1. Safety Glasses
2. Goggles
3. Face Shield
Personal Protective Equipment (Eyes)

EMPLOYERS

- If the label identifies **specific** protective eyewear, that eyewear or more protective must be worn.
  - **Goggles** must be worn (NOT safety glasses) if the label states wear goggles.

- Prescription eyewear **may not interfere** with fit/function of protective eyewear.
EMPLOYERS

• shall assure that employees wear appropriate chemical-resistant gloves when required...

  ▪ If there is **NO** specific glove material specified on the label (*“use chemical-resistant gloves”*), then any of the gloves listed in the DPR Glove Category Selection Key card may be used
**Personal Protective Equipment (Gloves)**

### Glove Category Selection Key
Based on USEPA Label Codes

<table>
<thead>
<tr>
<th>Label Code</th>
<th>Recommended by CDPR</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>1,2,3,4,5,6,7,8</td>
</tr>
<tr>
<td>B</td>
<td>1,2</td>
</tr>
<tr>
<td>C</td>
<td>1,2,3,4,7,8</td>
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<td>D</td>
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<td>E</td>
<td>1,3,4,8</td>
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<td>F</td>
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</tr>
<tr>
<td>G</td>
<td>1,8</td>
</tr>
<tr>
<td>H</td>
<td>1,8</td>
</tr>
</tbody>
</table>

1:Laminate, 2:Butyl, 3:Nitrile, 4:Neoprene, 5:Natural, 6:Polyethylene, 7:PVC, 8:Viton

All but Laminate and Polyethylene must be 14 mils or thicker
Personal Protective Equipment (Gloves)

- Other than laminate and polyethylene, all gloves must be 14 mils or thicker.

Exception: For tasks requiring fine motor skills and dexterity, thinner gloves of the same material may be substituted for a maximum of 15 minutes to accomplish the task, then discarded.
Personal Protective Equipment (Body)

- **EMPLOYERS** shall assure that employees wear:
  - **Chemical-resistant footwear** (boots, shoes or coverings) when required.
  - **Chemical-resistant hood** or wide-brim hat, when chemical-resistant head protection is required.
Personal Protective Equipment (Body)

- **EMPLOYERS** shall assure that employees wear:
  - **Coveralls** when handling Category I (Danger) or Category II (Warning) pesticides.

This does **NOT** apply to fumigants, unless otherwise required by label.
EMPLOYERS shall assure that employees wear:

- Chemical resistant apron when required

- Chemical resistant coveralls when required

  When daytime temperature exceeds 80º or nighttime temperature exceeds 85º, employees must not handle pesticides that require the wearing of chemical-resistant coveralls unless engineering controls are utilized to reduce the temperatures below the above temperatures.
12. Handler(s) Trained
   • CCR 6724
     ➢ Employee not trained on pesticide being used is a Common Violation

13. Emergency Medical Care Posting
   • CCR 6726
     ➢ Not POSTED in a prominent place in the work vehicle or missing the phone numbers of hospitals is a Common Violation

   • Production agriculture only
15. Decontamination Facility
   • CCR 6734
   • Missing: soap, single use towels or one clean change of coveralls is a Common Violation

16. Eyewash Immediately Available
   • Production Ag. Only

17. Field Postings
   • Production Ag. Only
18. Safe Equipment (CCR 6742)

- Equipment leaking or in bad repair-unsafe to operate (i.e. backpacks, hoses) – Common Violation
19. Closed System Used (Production Ag only)

20. Protection of Persons/Animals/Property

20. Equipment Registered – PCB

21. Equipment Identified – PCB

22. Backflow Prevention – Airgap

23. Containers Secured / Attended
Backflow Prevention Air Gap
3CCR 6610
Draw water from an outside source

➢ Air gap

➢ Double check valve
Application Mix / Load

25. Containers Labeled / Closures (CCR 6676)
   • Registrant’s label not on container
   • Lids/closures not secure
   • **Common Violation**

26. Service Container Labeling (CCR 6678)
   • Missing label altogether or mislabeled with wrong chemical is a **Common Violation**

27. Proper Containers (CCR 6680)
   • Food, drink, household product containers are **prohibited**
Pesticide Material in a Prohibited (Food/Drink) Container
• Tools and Equipment being contaminated
• Food Container w/possible pesticide material (unmarked container)
• Drink cup being used to measure pesticides
28. Proper Pesticide Transport:

- Secured to prevent spillage
- Covered to protect against moisture
Improper Pesticide Transport:

- **Not in** the same compartment with:
  - People / pets or
  - Food or
  - Feed
29. Containers Properly Rinsed
   • Triple rinsed at time of use

30. Accurate Measurement
   ❖ Calibrated to the smallest unit in which the pesticide is being weighed or measured.

   ❖ NOT ALLOWED:
     ➢ estimates
     ➢ uncalibrated
     ➢ unmarked
Accurate Measurement:

Calibrated to the smallest unit in which the pesticide is being weighed or measured.

NOT ALLOWED:
- estimates
- uncalibrated
- unmarked
31. Ground Water Protection
   - Certain pre-emergent herbicides

32. Wellhead Protection
Wellhead Protection: 3CCR 6609

Within **100** feet of a well:

- No mixing, loading or storing any pesticides
- No rinsing of spray equipment or pesticide containers
- No maintaining equipment that could spill pesticides

**UNLESS**

- Ground slopes away from wellhead or wellhead is protected by a berm
33. Dormant Insecticides

34. Surface Water Protection
   - Applicable to Pest Control Businesses doing a *pyrethroid* application with certain active ingredients and applying the pesticide *outdoors* to certain types of *sites* and on certain types of *surfaces*. 
<table>
<thead>
<tr>
<th>Active Ingredient</th>
<th>Product Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bifenthrin</td>
<td>Talstar</td>
</tr>
<tr>
<td>Cyfluthrin</td>
<td>Tempo 20 WP</td>
</tr>
<tr>
<td>Beta-cyfluthrin</td>
<td>Tempo SC, Cyguard</td>
</tr>
<tr>
<td>Gamma-cyhalothrin</td>
<td>Standguard</td>
</tr>
<tr>
<td>Lambda-cyhalothrin</td>
<td>Demand, Cyonara</td>
</tr>
<tr>
<td>Cypermethrin</td>
<td>Demon Max</td>
</tr>
<tr>
<td>Deltamethrin</td>
<td>Enforcer, Deltagard</td>
</tr>
<tr>
<td>Esfenvalerate</td>
<td>Ortho Bug B Gon</td>
</tr>
<tr>
<td>Fenpropathrin</td>
<td>Tame</td>
</tr>
<tr>
<td>Tau-fluvalinate</td>
<td>Mavrik</td>
</tr>
<tr>
<td>Permethrin</td>
<td>Dragnet, Raid</td>
</tr>
</tbody>
</table>

3 CCR §6970
### 17 Regulated Pesticides (cont.)

<table>
<thead>
<tr>
<th>Active Ingredient</th>
<th>Product Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bioallethrin</td>
<td>Ace Wasp &amp; Hornet Killer</td>
</tr>
<tr>
<td>S-bioallethrin</td>
<td>Zep Ant &amp; Roach Spray</td>
</tr>
<tr>
<td>Phenothrin</td>
<td>Wasp &amp; Hornet Killer</td>
</tr>
<tr>
<td>Prallethrin</td>
<td>Flying Insect Spray</td>
</tr>
<tr>
<td>Resmethrin</td>
<td>Black Flag Fogging Insecticide</td>
</tr>
<tr>
<td>Tetramethrin</td>
<td>Ortho Hornet &amp; Wasp Killer 4</td>
</tr>
</tbody>
</table>

3 CCR §6970
Common Violations

1. PPE VIOLATIONS:

- CCR 6738– PPE stored with pesticides. **Employer violation.**

- 6738.1(a)-Protective eyewear not worn (sunglasses not acceptable). **Employer violation**

- 6738.1(b)-Protective gloves not worn or incorrect gloves (exp. **wearing rubber when cotton required per label**). **Employer Violation**
Common Violations

- 12973 - Label violation (not wearing PPE required by the label). **Employer Violation**

- 6702(c) - Employees shall utilize protective equipment provided by employer. **Employee violation.**
PPE Violations

- Missing PPE: Sleeves rolled up, no CR gloves, no eye protection, could require CR boots
- Damaged CR gloves (not sufficient)
• Personal Protective Equipment (PPE) (respirator, gloves, etc.)
  - Same storage area as pesticides
Common Violations

- **Label Violations** (FAC 12973)
  - Application over rate
  - Product not labeled for use at the site/commodity
  - PPE Violations
  - Adjuvant/surfactant not used per label requirements
  - Drift
  - Applying within Buffer Zone
Common Violations

- Emergency Medical Care Posting (CCR 6726)
  - Not POSTED in a prominent place in the work vehicle or missing the phone numbers of hospitals. **Employer Violation**

- Service Container Labeling (CCR 6678)
  - Missing label altogether or mislabeled with wrong chemical.
Common Violations

- Decontamination Facility (CCR 6734)
  - Missing soap, single use towels or one clean change of coveralls
  - Not present
    - (must be within 100 feet of mix/load site)
Container Requirements (CCR 6676)

- Registrant’s label not on container
- Lids/closures not secure
- Service containers not labeled
Common Violations

- General Standards of Care (CCR 6600)
  - Equipment leaking or in bad repair-unsafe to operate (backpacks/hoses)

- PCB Registration (FAC 11732)
  - Company working in county without registering
Riverside County Agricultural Commissioner
District Offices

- Riverside / Corona
  (951) 955-3045

- San Jacinto / Temecula
  (951) 654-3266

- Coachella Valley
  (760) 342-5070

- Palo Verde Valley
  (760) 921-5630

- Website
  www.rivcoawm.org