

LAWS AND REGULATIONS THAT INFORM NOXIOUS WEED TREATMENTS

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Oblong spurge in Camino



















6702. Employer-Employee Responsibilities.

- (a) **The employer shall comply with each regulation** in this subchapter which is applicable to the employer's action or conduct.
- (b) The employer:
 - (1) is responsible for knowing about applicable safe use requirements specified in regulations and on the pesticide product labeling;
 - (2) **shall inform the employee, in a language the employee understands, of the specific pesticide being used, pesticide safety hazards, the personal protective equipment and other equipment to be used, work procedures to be followed, and pesticide safety regulations applicable to all activities they may perform;**
 - (3) **shall assure safe work practices**, including all applicable regulations and pesticide product labeling requirements, are complied with;
 - (4) has the duty to provide a safe work place for employees and require employees to follow safe work practices; and
 - (5) **shall assure** that employees handle and use pesticides in accordance with the requirements of law, regulations, and pesticide product labeling requirements.
- (c) **Employees shall utilize** the personal protective equipment and other safety equipment required by pesticide product labeling or specified in this subchapter that has been provided by the employer at the work site in a condition that will provide the safety or protection intended by the equipment.

6723. **Hazard Communication for Pesticide Handlers.**

(a) Before employees are allowed to handle pesticides, the employer shall display a copy of a completed written Hazard Communication Information for Employees Handling Pesticides in Agricultural Settings (Pesticide Safety Information Series leaflet A-8) or Hazard Communication Information for Employees Handling Pesticides in Noncrop Settings (**Pesticide Safety Information Series leaflet N-8**), as applicable, at a central location in the workplace. Upon request, the employer shall read to the requesting employee, in a language understandable to that employee, Pesticide Information Series leaflet A-8/N-8. Pesticide Information Series Leaflet A-8/N-8 shall be written by the Department of Pesticide Regulation in English and Spanish. Pesticide Information Series leaflets are available from the Department.

6723. Hazard Communication for Pesticide Handlers.

(b) The employer shall maintain, at a central location at the workplace accessible to employees who handle pesticides, the following:

(1) **pesticide use records** as specified in section 6624 (b), (c), and (e) for pesticides that have been handled by his or her employees;

(2) copies of available **Pesticide Safety Information Series leaflets** which are applicable to the pesticides and handling activities listed in the pesticide use records referred to in subsection (b)(1).

(A) **The N-8** must also be posted at all permanent decontamination facilities and decontamination facilities servicing 11 or more handlers.

(B) Any changes to the N-8 relating to the name, address, or telephone number of the facility providing emergency medical care must be updated within 24 hours of the change.

(3) **a Safety Data Sheets (SDS)**, as specified by Title 8 California Code of Regulations, section 5194, for each pesticide listed in the pesticide use records referred to in subsection (b)(1). If the SDS is not provided by the registrant of a pesticide, the employer shall:

(A) within **seven working days** of a request for a SDS from an employee, employee representative or employee's physician, make written inquiry to the registrant of the pesticide, asking that a SDS be sent to the employer. If the employer has made written inquiry within the last 12 months as to whether the pesticide is subject to the requirement for a SDS or the employer has made a written inquiry within the last 6 months requesting new, revised or later information on the SDS, the employer need not make additional written inquiry. A copy of the written inquiry shall immediately be sent to the person requesting the SDS;

NOTHING IS SAFE



(B) notify the requester of the availability of the SDS or provide a copy of the SDS to the requester within 15 days of receipt of the SDS from the registrant; and

(C) if a response has not been received from the registrant within 25 working days of the date the inquiry was made, send the Department a copy of the inquiry with a notation that no response has been received. The employer is not precluded from obtaining and providing the SDS utilizing other more expedient methods in lieu of those provided in this subsection.

(c) **The employer shall inform employees, before they are allowed to handle pesticides and at least annually thereafter, of the location and availability** of the records and other documents listed in this section or relating to employee training, monitoring, and potential exposure. If the location of the records and other documents changes, an employer shall promptly inform his or her employees of the new location.

(d) **The employer shall provide**, upon request of his or her employee, employee representative, or employee's physician, access to any records or other documents required to be maintained pursuant to this chapter. Access shall be granted as soon as possible and not to exceed 48 hours from the date of the request. A request from an employee representative must contain the following in writing:

Division 6. Pesticides and Pest Control Operations

Chapter 3. Pest Control Operations

Subchapter 3. Pesticide Worker Safety

Article 2. General Safety Requirements

6720. Safety of Employed Persons.

(a) The requirements of this article shall be complied with by the employer for the safety of employees handling pesticides.

(1) They have been trained equivalent to the requirements of section 6724 (licensed agricultural pest control advisers are considered trained for the purposes of this exception); and

Handler training requirements:

The information shall be presented in a manner the employee can understand, orally from written materials or audio visually, using nontechnical terms in a location reasonably free from distraction. The trainer shall be present throughout the training and shall respond to employee questions.

The Training

There are 23 sections required by law for **The Training**



The training

(d) Training shall be completed before the employee is allowed to handle pesticides, continually updated to cover any new pesticides that will be handled, and repeated at least annually thereafter. Initial training may be waived if the employee submits a record showing that training meeting the requirements of this section and covering the pesticides and use situations applicable to the new employment situation was received within the last year. A certified applicator is considered trained for the purposes of this section.



(b) **The training shall cover, for each pesticide or chemically similar group of pesticides, to be used:**

- (1) Format and meaning of information, such as precautionary statements about human health hazards, contained in pesticide product labeling;
- (2) Applicator's responsibility to protect persons, animals, and property while applying pesticides; and not to apply pesticides in a manner that results in contact with persons not involved in the application process;
- (3) Need for, limitations, appropriate use, removal, and sanitation, of, any required personal protective equipment;
- (4) Safety requirements and procedures, including engineering controls (such as closed mixing systems and enclosed cabs) for handling, transporting, storing, disposing of pesticides, and spill clean-up;
- (5) Where and in what forms pesticides may be encountered, including treated surfaces, residues on clothing, personal protective equipment, application equipment, and drift;
- (6) Hazards of pesticides, including acute, chronic, and delayed effects, and sensitization effects, as identified in pesticide product labeling, Safety Data Sheets, or Pesticide Safety Information Series leaflets;
- (7) Routes by which pesticides can enter the body;
- (8) Signs and symptoms of overexposure;



The training

(9) Routine decontamination procedures when handling pesticides, including that employees should:

(A) Wash hands before eating, drinking, using the toilet, chewing gum, or using tobacco;

(B) Thoroughly wash or shower with soap and water;

(C) Change into clean clothes as soon as possible; and

(D) Wash work clothes separately from other laundry before wearing them again.

(10) How Safety Data Sheets provide hazard, emergency medical treatment, and other information about the pesticides with which employees may come in contact;

(11) The hazard communication program requirements of section 6723;

(12) The purposes and requirements for medical supervision if organophosphate or carbamate pesticides with the signal word "DANGER" or "WARNING" on the labeling are mixed, loaded, or applied for the commercial or research production of an agricultural plant commodity;

(13) First aid and emergency decontamination procedures and emergency eye flushing techniques; and if pesticides are spilled or sprayed on the body to wash immediately with decontamination supplies and as soon as possible, wash or shower with soap and water and change into clean clothes;

(14) How and when to obtain emergency medical care;

(15) Prevention, recognition, and first aid for heat-related illness in accordance with Title 8 of the California Code of Regulations, section 3395;

The training

- (16) Requirements of this chapter and chapter 4 relating to pesticide safety, Safety Data Sheets, and Pesticide Safety Information Series leaflets;
- (17) The requirement that handlers of pesticides used in the commercial or research production of an agricultural commodity must be at least 18 years of age;
- (18) Environmental concerns such as drift, runoff, and wildlife hazards;
- (19) Field posting requirements and restricted entry intervals when pesticides are applied for the commercial or research production of an agricultural commodity;
- (20) That employees should not take pesticides or pesticide containers home from work;
- (21) Potential hazards to children and pregnant women from pesticide exposures, including that:
 - (A) Children and nonworking family members should keep away from treated areas;
 - (B) After performing handling activities or after working in a treated area, employees should remove boots or shoes before entering the home and remove work clothes; and
 - (C) Employees should wash or shower before physical contact with children or family members.
- (22) How to report suspected pesticide use violations; and

The training

23) The employee's rights, including the right:

(A) To personally receive information about pesticides to which he or she may be exposed;

(B) For his or her physician or an employee representative designated in writing to receive information about pesticides to which he or she may be exposed;

(C) To be protected against retaliatory action due to the exercise of any of his or her rights; and

(D) To report suspected use violations to the Department or county agricultural commissioner.



05/20/2014

6726. Emergency Medical Care.

(a) Emergency medical care for employees handling pesticides shall be planned for in advance. The employer shall locate a facility where emergency medical care is available for employees who will be handling pesticides.

(b) Employees shall be informed of the name and location of a facility where emergency medical care is available. **The employer shall post in a prominent place at the work site, or work vehicle if there is no designated work site**, the name, address and telephone number of a facility able to provide emergency medical care whenever employees will be handling pesticides and, if the identified facility is not reasonably accessible from that work location, procedures to be followed to obtain emergency medical care.

(c) When there is reasonable grounds to suspect that an employee has a pesticide illness or when an exposure to a pesticide has occurred that might reasonably be expected to lead to an employee's illness, **the employer shall ensure that the employee is taken to a physician immediately**.

(d) The employer shall provide the following information to medical personnel treating an employee suspected of being exposed to a pesticide used in the commercial or research production of an agricultural commodity:

(1) Copies of the applicable Safety Data Sheet(s) and the product name(s), U.S. Environmental Protection Agency registration number(s), and active ingredient(s) for each pesticide product to which the employee may have been exposed.

(2) The circumstances of application or use of the pesticide.

(3) The circumstances that could have resulted in exposure to the pesticide.

TALL WHITE TOP





Don't come back!!!



6734. Handler Decontamination Facilities.

(a) The employer shall assure that sufficient water, soap and single use towels for routine washing of hands and face and for emergency eye flushing and washing of the entire body are available for employees as specified in this section.

(1) This water shall be of a quality and temperature that will not cause illness or injury when it contacts the skin or eyes or if it is swallowed, and shall be stored separate from that used for mixing with pesticides unless the tank holding water for mixing with pesticides is equipped with appropriate valves to prevent back flow of pesticides into the water.

(2) One clean change of coveralls shall be available at each decontamination site.





05/21/2014

6738. Personal Protective Equipment Care.

(a) **The employer shall:**

(1) Provide all personal protective equipment required by pesticide product labeling, regulation, and restricted material permit condition, provide for its daily inspection and cleaning (according to pesticide labeling instructions or, absent any instructions, washed in detergent and hot water), and repair or replace any worn, damaged, or heavily contaminated personal protective equipment.

Leather gloves used to apply only aluminum phosphide or magnesium phosphide pesticides and which have been aerated for 12 hours or more are considered cleaned.

(2) Assure that all clean personal protective equipment, when not in use, is kept separate from personal clothing and in a clean and pesticide-free, specifically designated place.

(3) Assure that personal protective equipment is used correctly for its intended purpose.

(4) Keep and wash potentially contaminated personal protective equipment separately from other clothing or laundry.

(5) Assure that all clean personal protective equipment is either dried thoroughly before being stored or is put in a well-ventilated place to dry.



6738.2. Selection of Protective Eyewear.

The employer shall assure that appropriate protective eyewear, providing brow and temple protection that conforms to the curvature of the face and side protection to the eyes, is worn when its use is required.

(a) Whenever protective eyewear is required, and the labeling does not identify a specific type, one of the following types of eyewear or eye protective devices bearing evidence of compliance with American National Standard for Occupational and Education Personal Eye and Face Protection Devices **ANSI Z87.1 - 2010** must be worn:

- (1) Safety glasses that provide front, brow, and temple protection.
- (2) Goggles.
- (3) Face shield.

(b) If the pesticide labeling identifies a specific type of protective eyewear, that specified eyewear or more protective eyewear, must be worn.





6738.3. Selection of Gloves.

The employer shall assure that appropriate chemical-resistant gloves are worn by employees when their use is required.

- (b) If use of chemical-resistant gloves is required by pesticide labeling without specification of a barrier material or category, the barrier material may be any cited in (a).
- (c) All barrier materials must be **14 mils** or thicker except:

Gloves for Handling Pesticides

Due to PPE shortage during the current COVID-19 crisis, DPR has compiled some glove-safety tips.

reusable gloves, they must be the same material as required disposable gloves.

resistant gloves must be at least 14 mil thick†, so for thicker gloves of the same material.

ce and polyethylene gloves

Glove Category Selection Key

Label Code	Materials Required by Law	Material Code
A	1,2,3,4,5,6,7,8	1: Laminate
B	1,2	2: Butyl
C	1,2,3,4,7,8	3: Nitrile
D	1,2	4: Neoprene
E	1,3,4,8	5: Natural
F	1,2,3,8	6: Polyethylene
G	1,8	7: PVC
H	1,8	8: Viton

All but Laminate and Polyethylene must be 14 mils or thicker

Caring for Reusable Gloves

1. Inspect your gloves before putting them on. ***Never wear damaged chemical resistant gloves!***
2. Wash your hands with soap and water before you put them on.
3. Wear your gloves as required by regulation when performing hand work.
4. Wash your gloved hands with soap and water before removing gloves.
5. Dry and store your clean gloves in a cool dry place, away from direct sunlight.
6. After removing gloves, wash your hands with soap and water.

Do not touch contaminated gloves with bare hands!

to follow 3 CCR 6738. For more information go to: https://www.cdpr.ca.gov/docs/whs/ind_hygiene_



6742. Safe Equipment.

(a) The employer shall assure that equipment used for mixing, loading, transferring, or applying pesticides is inspected before each day of use and equipment with any safety defect is repaired or altered to remove the hazard before further use.







6670. General Requirement.

Pesticides, emptied containers or parts thereof, or equipment that holds or has held a pesticide, shall not be stored, handled, emptied, disposed of, or left unattended in such a manner or at any place where they may present a hazard to persons, animals (including bees), food, feed, crops or property. The commissioner may take possession of such unattended pesticides or emptied containers to abate such hazard.



6678. Service Container Labeling.

Service containers, other than those used by a person engaged in the business of farming when the containers are used on the property the person is farming, shall be labeled with:

- (a) The name and address of the person or firm responsible for the container;
- (b) The identity of the pesticide in the container; and
- (c) The word "Danger," "Warning," or "Caution," in accordance with the label on the original container.

6680. Prohibited Containers for Pesticides.

In no case shall a pesticide be placed or kept in any container of a type commonly used for food, drink or household products.

6682. Transportation.

- (a) Pesticides shall not be transported in the same compartment with persons, food or feed.
- (b) Pesticide containers shall be secured to vehicles during transportation in a manner that will prevent spillage onto the vehicle or off the vehicle. Paper, cardboard, and similar containers shall be covered when necessary to protect them from moisture.



6602. Availability of Labeling.

A copy of the registered labeling that allows the manner in which the pesticide is being used shall be available at each use site.

6604. Accurate Measurement.

Concentrate pesticides shall be weighed or measured accurately using devices which are calibrated to the smallest unit in which the pesticide is being weighed or measured.

6684. Rinse and Drain Procedures.

(a) Except for containers to be returned to the registrant, each emptied container that has held less than 28 gallons of a liquid pesticide that is diluted for use shall be rinsed and drained by the user at time of use as follows:

(b)(1) Use the following amount of water or other designated spray carrier for each rinse.

Size of container

Amount of rinse medium

Less than 5 gallons 1/4 container volume

5 gallons or over 1/5 container volume

(2) Place required minimum amount of rinse medium in the container, replace closure securely, and agitate.

(3) Drain rinse solution from container into tank mix. Allow container to drain 30 seconds after normal emptying.

(4) Repeat (2) and (3) above a minimum of two times so as to provide a total of **three rinses**; or



















6614. Protection of Persons, Animals, and Property.

(a) An applicator prior to and while applying a pesticide shall evaluate the equipment to be used, meteorological conditions, the property to be treated, and surrounding properties to determine the likelihood of harm or damage.

(b) Notwithstanding that substantial drift would be prevented, no pesticide application shall be made or continued when:

(1) There is a reasonable possibility of contamination of the bodies or clothing of persons not involved in the application process;

(2) There is a reasonable possibility of damage to nontarget crops, animals, or other public or private property; or

(3) There is a reasonable possibility of contamination of nontarget public or private property, including the creation of a health hazard, preventing normal use of such property. In determining a health hazard, the amount and toxicity of the pesticide, the type and uses of the property and related factors shall be considered.















6650. Pesticides Toxic to Bees.

(a) Pesticides toxic to bees are those that include the words "toxic to bees" on the labeling of the pesticide, regardless of modifying words on the label that state "highly" or "moderately."

(b) Bees are considered to be inactive from one hour after sunset to two hours before sunrise or when the temperature is below 55 degrees Fahrenheit. The sunset and sunrise times will be those indicated in the local newspaper.

(c) Residual toxicity (RT) time is that period of time after completing a pesticide application until there is minimal toxic effect to bees. The RT time is specified on product labeling and is based upon Residual Toxicity₂₅ (RT₂₅) studies. RT₂₅ studies determine 25 percent bee mortality based on the test bee population exposed to the formulated pesticide product applied to foliage.



Questions?

