

PESTICIDE BASICS - What is a pesticide?

In the simplest sense, a pesticide is any substance that is used to kill something else. Pesticides include insecticides, herbicides, fungicides, sanitizers, disinfectants, rodent baits, snail baits, and pool chlorine.

The official definition found in Food and Agricultural Code (FAC). Section 12753 defines a pesticide as any of the following:

"(a) any spray adjuvant.

(b) 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, as defined in §12754.5, which may infest or be detrimental to vegetation, man, animals, or households, or be present in any agricultural or nonagricultural environment whatsoever."

Apart from certain exempted materials, all pesticide products have a registration number issued by the Environmental Protection Agency (EPA) listed on the label as: EPA Reg. No: _____

Refer to The Department of Pesticide Regulations website for full details.

<http://www.cdpr.ca.gov/cfdocs/apps/schoolipm/main.cfm>

EMPLOYEE TRAINING REQUIREMENTS

If employees in your school district use pesticides as defined by the Food and Agricultural Code §12753 then they are required by law to be trained.

- 1) All employees who handle pesticides must be trained on a yearly basis. Employees who hold a current Qualified Applicator Certificate or a Qualified Applicator License are exempt from this requirement. They are considered trained according to § 6724(d) of the California Code of Regulations (CCR)

Pesticide “handling” activities include, mixing, loading, transferring, applying, or assisting in the application i.e pulling hoses. It also includes the maintenance and servicing of equipment that may have chemical residues.

- 2) Pesticide trainers do not need to be licensed; however, this person must have experience with pesticides and be familiar with pesticide laws and regulations. Many school districts require their trainers to have a Qualified Applicator Certificate or a Qualified Applicator License, but the regulations do not require it.
- 3) What needs to be covered in the training? Section 6724 of the California Code of Regulations details the specific training requirements. The training must include information about each pesticide, or chemically similar group of pesticides that the employee will handle. Included in this packet is a copy of a sample training form that covers all of these training points.
- 4) Training records for each employee must be kept for 2 years.

The Written Training Program

In addition to the training forms, the employer or trainer must keep a record of what materials were used to train their employees. Examples of training materials could be videos, Material Safety Data Sheets (MSDS's), pesticide labels, Pesticide Safety Information Series Pamphlets or physical demonstrations etc. An example written training program outline is included in this packet.

Pesticide Safety Information Series § 6723 CCR

An important part of employees training is the discussion and display of the Pesticide Safety Information Series (PSIS). The PSIS N-8 should be filled out and displayed in a prominent location at the work site. The PSIS series is available from the Department of Pesticide Regulation's web site; www.cdpr.ca.gov or from the Santa Clara Department of Agriculture.

OCCASIONAL USE OF CONSUMER PRODUCTS

§ 6720(2e) of the California Code of Regulations states:

"The provisions of this subchapter [Subchapter 3. Pesticide Worker Safety] do not apply to employees handling consumer products packaged for distribution to, and use by, the general public, provided that employee use of the product is not significantly greater than the typical consumer use of the product."

The practical implementation of this code section is that employees who occasionally use only small amounts of pesticides, purchased in a ready to use form from a hardware store, do not have to be trained.

However, given the sensitive nature of the school environment the Department of Agriculture strongly suggests that all employees, regardless of their level of use, receive thorough training. Training is important not only for employee safety, but student and environmental safety, job efficacy, and liability reasons.

CALIFORNIA DIVISION OF OCCUPATIONAL HEALTH AND SAFETY:

Injury and Prevention Program

If you have already established an Injury and Illness Prevention (IIP) Program under OSHA guidelines and your staff only uses disinfectants and sanitizers, then you do not need to provide additional training to your employees to meet the California Code of Regulation training requirements (§ 6720 CCR). It has been determined that the laws and regulations enforced by the Department of Industrial Relations are functionally equivalent to the pesticide worker safety requirements enforced by the Department of Agriculture. Like the California Code of Regulations, the California Division of Occupational Safety and Health places the responsibility for workplace and employee safety upon the employer.

THE LAWS AND REGULATIONS- Availability

The California Code of Regulations Title 3, Division 6 is available on the Internet at:
<http://ccr.oal.ca.gov>

The Food and Agricultural Code is available on the Internet at:
www.leginfo.ca.gov/calaw.html

SUMMARY OF GENERAL PESTICIDE USE REQUIREMENTS

Title 3, Division 6 of California Code of Regulations

- 1) A copy of the pesticide label must be available at the use site. § 6602
- 2) Pesticides must be accurately measured. §6604
- 3) Uniform mixtures must be maintained in application equipment. § 6606
- 4) Pest control equipment shall be in good repair and safe to operate. § 6600 and § 6742
- 5) Applicators must protect persons, crops, animals, and property from contamination when applying pesticides § 6614.
- 6) Each service rig that draws water from an outside source shall be equipped with an air gap or backflow protection device in order to protect water supplies when drawing water. § 6610
- 7) Each emptied pesticide container that held less than 28 gallons needs to be triple rinsed, drained and punctured immediately after use. § 6684
- 8) Pesticides, emptied containers or parts thereof, or equipment that holds or has held a pesticide, shall not be stored, handled, disposed of, or left unattended in such a manner where they may present a hazard to persons, animals, food, feed, crops, or property. Any area used to store a pesticide in Category 1 or 2 must be posted with warning signs. § 6670, § 6672 and § 6674
- 9) Other than the original pesticide container with its label intact, every container needs to be labeled with the name and address of the company or person responsible for the container, the identity of the economic poison in the container, and the signal word "Danger", "Warning", or "Caution" in accordance with the label on the original container. § 6678
- 10) In no case shall a pesticide be kept in any container similar to one commonly used for food, drink, or household products. § 6680
- 11) Pesticides shall not be transported in the same compartment with persons, food, or feed. They should also be secured to avoid spillage. § 6682
- 12) All employees who handle pesticides must be trained on a yearly basis. § 6724
- 13) Training records for each employee must be kept for 2 years. § 6724
- 14) The employer or trainer must have a “written training program” which details what materials were used to train their employees. § 6724
- 15) The employer is responsible for providing employees with safety gear; and for its daily inspection, cleaning, repair, and proper storage. § 6738
- 16) The employer shall provide sufficient water, soap, single use towels for routine washing of hands, face and for emergency eye flushing and washing of their entire body. § 6734
- 17) Employers shall assure that employees handle and use pesticides in accordance with the law, regulations and labeling. Employers shall supervise employees to assure safe work practices. Employees must wear all of their assigned safety equipment. § 6702
- 18) Employees or others who clean, service or repair equipment that has been used for pesticide applications must be made aware of the hazards of the pesticide they may encounter and methods to protect themselves. §6744

19) The employer must have located a facility where employees can receive emergency medical care **before** they handle pesticides. The name, address, and telephone number of the facility must be posted in a prominent place at the work site. § 6726

WORKER SAFETY REQUIREMENTS: Employer's Responsibility

Personal Protective Equipment § 6738, §6736

- 1) The employer is responsible for providing safety gear; and for its daily inspection, cleaning, repair, and proper storage.
 - a) Eye Protection: Eye protection can include safety glasses (with front, brow, and temple protection), goggles, or a face shield. Common eyeglasses, including sunglasses, do not meet this requirement. Even if a pesticide label does not require eye protection, California Code of Regulations §6738 requires employees to wear eye protection when handling pesticides.
 - b) Gloves: Even if the pesticide label does not require the use of gloves; California Code of Regulations §6738 requires employees to wear gloves when handling pesticides. If a specific type of glove is not specified on product labeling for the pesticide being handled, gloves made of rubber, neoprene, or other chemical resistant material can be used.
 - c) Respirators: Respirators may be needed when pesticide product labeling requires them, or when the conditions of the pesticide application warrant their use.
 - i) Proper selection of respirators shall be made following pesticide product labeling, or if specific instruction is absent, according to the guidance of National Standard Practices for Respiratory Protection.
 - ii) An employer must have written operating procedures for selecting, fitting, cleaning, sanitizing, inspecting, and maintaining respiratory equipment.
 - iii) Employees must be informed prior to beginning work, that certain medical conditions may interfere with wearing a respirator. A medical condition statement must be on file for employees that have declared they have no medical condition that would interfere with their wearing of a respirator. If an employee has a condition that would interfere, a physician's report of evaluation and approval for respirator use must be on file before the employee is allowed to work with a respirator. (There is a medical condition statement on the back of the provided training form.)
 - d) Footwear, Headgear, Suit, Apron: These protective items may be required by pesticide product labeling, or if the conditions of the pesticide application warrants their use.
- 2) Employers must provide and maintain coveralls for their employees that handle Category I or II pesticides (Signal words Danger or Warning). Coveralls are an article of clothing that is used by the employee while spraying. They are left at the end of the day for the employer to launder. Coveralls can be a uniform or a chemically resistant tyvek suit.
- 3) For employees that handle Category I or II pesticides, the employer must provide an area where employees can change out of their coveralls at the end of the day. This area must have clean towels, soap, and sufficient water to allow for thorough washing. (In most cases, a bathroom would satisfy this requirement).

This is not a legal document. More detailed requirements can be found in the California Code of Regulations, Division 6. If you have any questions or require more detailed information, please call the Santa Clara County Department of Agriculture.

CHOOSING A PEST CONTROL OPERATOR

Many school districts have decided that the best option for dealing with pesticide use in schools is to hire Pest Control Operators (PCO's) to do the work. The school district is still required to handle the notification and posting requirements established under the Healthy Schools Act 2000 unless otherwise arranged with the pest control company. The school must also keep records of applications made by any pest control company.

We suggest that when choosing a pest control operator you consider the following:

- 1) What are the company's professional affiliations? Membership with professional organizations such as Pest Control Operators of California (www.pcoc.org/index.cfm) or PAPA (www.papaseminars.com/index.html) is a good indication that the company has access to modern technical information and has pledged to follow the strict code of ethics. The Structural Pest Control Board maintains a site where the compliance record of a company can be checked online at www.dca.ca.gov/pestboard/license.htm
- 2) Is the company familiar with the Healthy Schools Act 2000 and the requirement for the use of the least toxic chemicals? Talk to other School Districts. Which company do they use? Are they satisfied with the service?
- 3) Is the company committed to educating all of the parties involved including the teaching staff?
- 4) Choose a PCO that focuses strongly on pest prevention and monitoring
- 5) Choose a PCO that is available to do the work on weekends or after school.
- 6) Reach a complete understanding with the company before work starts. It may be a good idea to sit down and plan the year's treatment strategy based on previous year's work. Discuss your goals and past pest problems with the company. Get a treatment plan in writing as well as what you can expect as a result. Is there a guarantee? Be sure you fully understand what the company is offering.
- 7) Rather than use several companies for different areas of control you may want to choose a company that is able to deal with all of your pest problems from weeds, to ants to rats.

STAFF AND STUDENT EDUCATION

The idea behind good School IPM is not simply to use fewer pesticides but to educate and involve all parties in the pest management program. The entire school including teachers, nurses, food service workers, custodial staff, students, and administration need to understand the basic concepts of pest management and how they are utilized to control pest problems within schools.

If you have not already done so, we suggest that you:

- 1) Remove pesticides from all cupboards and storage areas, especially in classrooms.
- 2) Ensure that the teaching staff know that they cannot purchase pesticides for their own use around their classroom. For example, 'Raid' ant spray.
- 3) Educate both staff and students so that they can recognize posting signs and understand what they mean.
- 4) Make sure everyone is aware that they must not move monitoring equipment such as sticky traps.

Staff and students must understand how their actions can increase or decrease pest problems in the school. By creating an inhospitable environment for the pest, the problems can often be eliminated before they ever occur. Building maintenance and grounds personnel should understand pest exclusion and other steps they can take to keep pests from entering buildings such as reducing vegetation cover around buildings. Housekeeping staff should give special attention to areas with sanitation problems. Food service workers should understand the connection between inadequate sanitation and pests. Students can help by keeping food and beverages in designated areas,

removing paper clutter and not placing gum under desks. Everyone should understand that the success of a pest management program is in their own best interest.

PARENT AND GUARDIAN EDUCATION

Fear often stems from a lack of understanding about an issue. Many parents simply hear the word pesticide associated with their child's environment and panic. We have found that in many cases however, simply educating them further can help alleviate concerns.

In your annual notification letter to parents that lists the name and active ingredient of the pesticide products, we suggest you also provide basic information about the pesticide such as:

- 1) The signal word i.e. "Caution" and how that relates to toxicity
- 2) How the product is used or applied.
- 3) When the applications will occur. This is especially relevant if your district makes all of its applications on the weekends or during holidays.
- 4) How the products you use in the schools are similar to ones commonly used at home

We have included a sample information sheet in this packet.

You could also hold a series of short meetings where pesticide use in the school could be discussed. Hopefully, additional information like this will enable parents and guardians to better gauge the risks that pesticide use in schools pose, and it will reduce the numbers who require notification prior to every application.

NOTIFICATION REQUIREMENTS - Questions and Answers

Several questions have arisen regarding the notification requirements of the Healthy Schools Act of 2000. This is a confusing subject and Tony Hesch at the Department of Education can provide further clarification of these notification issues if required. His number is (916) 445 5729

1) **Question:** Do schools need to notify parents and others on the registry about applications that occur on weekends or during holidays?

Answer: YES. The notification requirements stand 7 days a week, 365 day a year. The school should also post warning signs. It is also important to continue to notify teachers during the holidays as they often visit their classrooms to set things up for the coming semester.

2) **Question:** Can the notification letters sent to registered parents 72 hours prior to an application have an addendum in case of a delay in the application?

Answer: YES. For example:

"If due to bad weather conditions, the planned application can not be made on [date], it will take place on [list alternate date]."

An alternative date must be specified. We also suggest that you consult with both your district's legal representative and your insurance company before using this option.

3) **Question:** Are there any products I can use that are exempt from the notification requirements?

Answer: YES. Self-contained baits or traps, pesticidal gels or paste deployed in cracks, and antimicrobials such as sanitizers and disinfectants are exempt.

Refer to The Healthy Schools Act (Section 17610.5) or the Department of Pesticide Regulations website for full details. <http://www.cdpr.ca.gov/cfdocs/apps/schoolipm/main.cfm>