Grower Checklist:
A Summary of Regulatory Requirements

Santa Clara County Department of Agriculture
December 2020
Basic Requirements

Whether you apply pesticides yourself, or you hire a licensed Pest Control Operator to apply pesticides to your property or production commodity,

You **MUST** each and every year:

**OBTAIN AN OPERATOR ID NUMBER**

Or if you intend to use a California Restricted Pesticide:

**OBTAIN A RESTRICTED MATERIALS PERMIT**
Restricted Materials

• Pesticides deemed to have a higher potential to cause harm
• May be purchased and used only by, or under, a certified applicator
• Require a permit issued by CAC
  • Restricted pesticides listed, site specific
  • Alternatives to RMP and mitigation measures
• Submit a Notice of Intent (NOI)
  • 24 hours prior to application
  • Submitted by grower, authorized rep. or PCO
  • Site and time specific

• 6426 (a) Each licensed agricultural pest control adviser and grower, when determining if and when to use a pesticide that requires a permit, shall consider, and if feasible, adopt any reasonable, effective and practical mitigation measure or use any feasible alternative which would substantially lessen any significant adverse impact on the environment.
Private Applicator Certificate

- Growers must be certified applicators to
  - Apply Federal or CA restricted materials
  - Train employees who handle pesticides or work in a field where pesticides are applied
- Issued by CAC (County Ag Commissioner)
  - PAC exam to obtain certificate
  - PAC renewal by re-examination or continuing ed. credits (every 3 yrs)
Pesticide Use Reporting

• All pesticides applied for ag production must be reported
  • Insecticides, herbicides, fungicides, defoliants, growth regulators and adjuvants
• Submit PUR by 10th day of the month following a pesticide application
• Submit PUR’s online through CalAgPermits
Pesticide Use Near Schools and Child Care Facilities

Notifications
• Annual notification to school sites within ¼ mile by April 30
  • List of pesticides expected to be used Jul-Jun
  • Additions at least 48 hours ahead
  • Paper or electronically through Cal Ag Permits

Application Restrictions
• Pesticide applications made for the production of an agricultural commodity
• Within ¼ mile of public K-12 schools and licensed child day care facilities, except family day care
• Restrictions Monday through Friday, from 6:00 a.m. to 6:00 p.m.
• Two types of restriction distances: ¼ mile (1,320 feet) or 25 feet, depending on application equipment used and pesticide applied
Worker Safety & Employee Training

• **Owners** (employers) who apply pesticides are exempt from worker safety regulations; however, you **must** comply with **ALL** label requirements including ones specifying personal protective equipment (PPE).

• If you have employees who handle pesticides or who work in a field where pesticides are applied, you **must** train them **before** they are allowed to handle pesticides or enter a treated field.

• A qualified person **must** do the training for handlers and/or fieldworkers.

• Pesticide handlers and fieldworkers must be trained annually
Pesticide Handler Training

- **Written training program** – describe the materials used and topics covered
- **Training record** – pesticide safety training for each pesticide
- **Respirator training program** – when respirator required by label or required/provided by employer
- **Voluntary Use Display** – voluntary use of respirators (not required and not provided by employer)
Fieldworker Training

• Each worker entering a treated field must have been trained within the last 12 months

• Treated field – field that has been treated with any pesticide in the last 30 days

• Written record of training with employee's signature

• Verify employees hired through Farm Labor Contractor have received training
Worker Safety Postings

• PSIS A8 for pesticide handlers and A9 for fieldworkers
  • Central location at workplace
  • All permanent decontamination facilities
  • Decontamination facilities servicing 11 or more handlers/fieldworkers
• Application specific information
  • Posted at central location
  • Pesticides applied in last 30 days
• Pesticide use records and SDS (Safety Data Sheets)
  • Central location, accessible to employees
Decontamination Facilities

Handlers
• Sufficient water (3 gallons/ handler), soap and single use towels
• If coveralls are being used, one clean pair available
• Located a mix/load site, within ¼ mile of handlers
• If label requires protective eyewear
  • One pint emergency eyewash available
  • Emergency eyewash, or equivalent setup, at mix/ load site.

Fieldworker
• Sufficient water (min. 1 gallon/ worker), soap and single use towels together at decontamination site
• Located no more than ¼ mile from the fieldworkers or nearest vehicle access
Application Exclusion Zone (AEZ)

The AEZ is a restricted area around pesticide equipment during an application.
## Application Exclusion Zone: Enclosed Space

<table>
<thead>
<tr>
<th>Type of application</th>
<th>AEZ</th>
</tr>
</thead>
<tbody>
<tr>
<td>• space treatment (fumigant, smoke, fog, aerosol, or mist)</td>
<td>The Entire enclosed space plus any adjacent area that is not sealed</td>
</tr>
<tr>
<td>• a pesticide for which the product labeling requires respiratory protection</td>
<td></td>
</tr>
<tr>
<td>• fine spray</td>
<td>Entire enclosed space</td>
</tr>
<tr>
<td>• spray from height greater than 12 inches</td>
<td>25 Ft.</td>
</tr>
<tr>
<td>• or as a spray of medium or larger</td>
<td></td>
</tr>
<tr>
<td>• spray methods not mentioned above</td>
<td>No AEZ</td>
</tr>
</tbody>
</table>
Notifications of pesticide applications

• Persons performing pest control must give the operator of the property notice of scheduled application and completion

• Operator of property that have employees that are likely* to enter field during application or REI or any person, for which they have prior knowledge may enter a treated area while REI is in effect

• Notices can be given orally or in writing

*Handler and fieldworker employees who may walk within ¼ mile of a field that will receive an application or during a REI are deemed in regulation as likely to enter
Field Postings

The owner or property operator must post treated fields when:

1. It is required by the pesticide product labeling
2. If the (REI) is greater than 48 hours.
3. All greenhouse applications with an REI greater than 4 hours or if the label requires it

• Can be posted no more than 24 hours prior to application

• Must be removed within 3 days after the expiration of the REI

Sign must be readable from 25 ft. and contain all of the following:

• Skull and Crossbones symbol
• “DANGER” and “PELIGRO”
• “PESTICIDES” and “PESTICIDAS”
• “KEEP OUT” and “NO ENTRE”
PPE

• The employer must provide the employee with regulation required PPE (i.e. protective eyewear, gloves) when mixing, loading, or applying pesticides by hand or ground rig, or when exposed to application equipment.

• The employer must provide the employee with the label required PPE (i.e. long-sleeved shirt, footwear, headgear, aprons and other protective clothing).

• PPE must be cleaned and inspected daily.

• Employers must assure employees are provided with and use approved respiratory protective equipment when pesticide product labeling or regulations require respirators.

• Coveralls must be used when an employee handles a pesticide with the signal word “DANGER” or “WARNING” on the label.
Employee PPE - Eyewear

- ANSI Z87.1 Compliant
  - Safety glasses that provide front, brow, and temple protection.
  - Goggles
  - Face shield

- The wearing of prescription lenses must not interfere with the fit and function of the protective eyewear and vice versa
Employee PPE - Hands

• Barrier materials must be 14 mils or thicker except:
  • Barrier laminate and polyethylene
  • Making fine adjustments to equipment for under 15 mins

• Glove liners
  • Separable glove liners that do not extend beyond end of glove
  • Flocked gloves not allowed
Pesticide Storage and Labeling

• Storage Secured/Posted
  • Locked up when unattended
  • Warning sign for pesticides with signal word “Danger” or “Warning”

• Container labeling –
  • any container that holds pesticide shall carry registrants label

• Containers properly rinsed
  • Triple rinsed and drained at time of use

• Prohibited Containers
  • containers designated for food, drink or household products
Record Keeping:

Keep all records for 2 years

- Copy of your Operator ID and/or Restricted Materials Permit
- Copy of PUR’s (electronic PUR’s accessible on CalAg Permits for 2 years)
- Employer’s must keep the following hazard communication records at a central location
  - Training records and written program
  - Safety Data Sheets
  - Application specific information
- Application completion records
- Schoolsite notifications
Contact info and links for regulations

For more information or documents mentioned in this presentation please contact Santa Clara County Department of Agriculture:

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California Department of Pesticide Regulation
California Code of Regulations (Title 3. Food and Agriculture) Division 6. Pesticides and Pest Control Operations
https://www.cdpr.ca.gov/docs/legbills/calcode/chapter_.htm
Pesticide Safety Information Series
https://www.cdpr.ca.gov/docs/whs/psisenglish.htm