

The Pesticide Review



Santa Clara County Division of Agriculture

November 2015

PPE Requirements

Findings from a recent illness investigation

Doctors are required by law to report all suspected pesticide illnesses to the State, who in turn assign them to the appropriate Commissioner's office to investigate.

One of our recent cases involved a company that supplied their employees with face shields for eye protection thinking they were going above and beyond the label requirements. The label, however, had restrictive language stating, "Wear safety glasses or goggles".

PRECAUTIONARY STATEMENTS
HAZARDS TO HUMANS AND DOMESTIC ANIMALS

DANGER: Corrosive, may cause severe skin and eye irritation or chemical burns to broken skin. Causes eye damage. Wear safety glasses or goggles, and rubber gloves when handling this

Please be aware that when labels state specific items to be worn, employers cannot deviate from those requirements. If you should have any questions about protective safety equipment or label requirements, call your District Biologist!

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Pesticide Use at Schools

Updates to the Healthy Schools Act: SB 1405 (DeSaulnier)

Senate Bill 1405 added some new requirements to the Healthy Schools Act. Anyone that applies pesticides to schools must attend specific school IPM courses. (This includes both school employees and professional pest control) Since the passage of this Senate Bill, DPR has been creating courses to meet this new requirement. We've heard these classes will be available this coming spring 2016, so we asked the DPR School IPM program some questions about them:

Where will these specialized courses be posted?

- DPR is currently developing online courses for school staff and licensed pest control applicators to take in order to meet this requirement. These courses will be posted on the DPR School IPM Website.
- Other organizations (PAPA, CAPCA, etc.) may also offer courses (online, in-person, etc.). However, all courses must be approved by the DPR School IPM Program beforehand.

Will there be something posted on DPR's regular continuing education page? Will attendees be able to obtain Continuing Education (CE) credit for these courses?

- In order to qualify for CE credit, the course must also receive CE approval separate from the approval by the School IPM Program. The course provider must follow the CE application process required by DPR and SPCB.
- During the course approval process, DPR will let course providers know about the separate CE process. We also plan on including this information with the list of approved courses so that people do not assume they will receive CE credit.

We will be providing regular updates about the training requirement through our School IPM E-list. Please encourage interested individuals to sign up: <http://www.cdpr.ca.gov/docs/dept/listserv/listdesc.htm>.

If Asked... Do Tell!

Structural requirements of 16 CCR 1970.4(f)

Over the years, we have received numerous complaints from frustrated citizens regarding companies that have not disclosed what chemicals they are using. Some complainants have stated they asked a pest control applicator directly: "What are you applying in that apartment?" Thinking they are protecting the privacy of the tenant, the applicator says "I don't have to tell you". Well, actually, yes, yes you do. And, you have 24 hours to do so.

1970.4(f): "A registered company which applies any pesticide within, around or to any structure shall provide to any person, within 24 hours after request therefore, the common, generic or chemical name of each pesticide applied."

If someone asks, "What are you doing?", applicators are not required to tell someone **why** they are treating the site. If your company is at an apartment complex treating for bedbugs, we can certainly understand the sensitivity of the issue and it is perfectly okay to tell the person asking the question that you are there treating for general pests. If the person asks what is being applied, have your applicators tell them the generic or chemical name of the pesticide. If you feel more comfortable with people asking the branch manager these questions, relay that to your crew. Instruct your applicators to politely say something to the affect: "It's our policy not to talk about the reasons why we are here, but I can direct you to my supervisor who will be able to answer your questions. I can give you my business card with my manager's name and number and they can tell you the chemical name of the product I'm using."

Be sure to let your office staff know about this regulation too. One of our inspectors called and spoke to a pest control company's secretary and she told him: "I don't have to tell you what we used." Once we spoke to the branch manager, things were smoothed over, but it points out that everyone that works in the company should know about this requirement. If someone should call your business with a question about a specific application, instruct your front office staff to give the person the generic or chemical name of the pesticide. Again, they do not have to tell the person why you were applying the material, but your company is obligated to tell the person what you applied.

DPR License Renewal

DPR mailed 14,700 renewal packets this last September to DPR license and certificate holders with surnames or business names starting with the letters **M – Z**. Completed renewal applications **must be submitted to DPR prior to November 19, 2015** in order to be guaranteed a renewed license or certificate by January 1, 2016.

Companies coming in to register with the County cannot register for the 2016 year with a license that expires December of 2015. Please plan ahead!

An excerpt from a recent DPR letter about renewals said they "currently operate on a largely physical, paper-based system for renewals. Even with recent upgrades to improve efficiencies to our licensing database and processes, nothing compares to the need for early submittal of the applications to ease the end-of-year bottleneck....In the future, we would like to move towards an online renewal process that eliminates the delays associated with mailing and paper document processing. But until then, early submittals are crucial for the renewal process to run smoothly."

Each year, licensees attend courses that were not approved for continuing education (CE) by DPR. These courses will not count towards CE hours for renewal. To view the list for DPR approved CE courses and sponsors, click here:

www.cdpr.ca.gov/docs/license/cont_ed_cfm/classes.htm

Last year out of 13,919 renewal packets mailed to individual licensees, less than one third of the renewal applications were returned to DPR by November 19, 2014 and only 39% by December 5th, leaving the bulk of renewals for late December. The result was only half of all renewing applicants received their license or certificate by January 1, 2015. For pest control business license holders, only 35% of the license renewal applications were received by DPR by November 19, 2014.

Additional Information:

For more information about the renewal process, CE hours required, and the status of a renewal once submitted, see DPR's Web site:

<http://www.cdpr.ca.gov/docs/license/liccert.htm>

New Personal Protective Equipment (PPE) Regulations

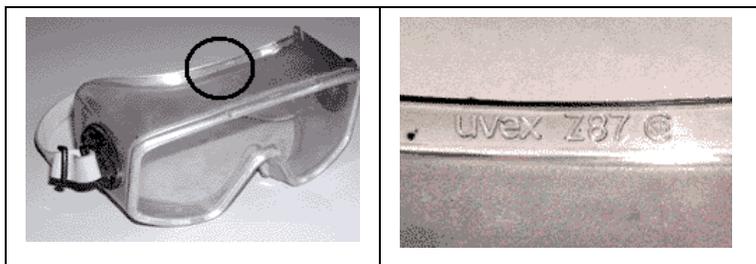
Title 3, California Code of Regulations 6738.1 - 6738.4

If you've attended any recent continuing education seminars, you've likely heard there are new PPE regulations on the books. These new code sections specify the type of safety equipment that can be given to employees.

Eye Protection: z87.1 rating

The most important aspect of protective eyewear, is just that...- it protects the eyes. Employees must wear eyewear that conforms to their face and provides brow and temple protection.

So, what is all this talk about the ANSI z87 rating? ANSI stands for the American National Standards Institute. DPR has adopted the Federal standard z87.1 rating into the California regulations for employee eye protection.



What does this mean for employees? If the glasses, goggles or face shield is marked with Z87.1 or just Z87 then it would meet this Federal standard for the type of protective eyewear. Most safety glasses already bear the Z87 mark on the frame and/or the lenses. You can also buy Z87 frames with corrective reading lenses built in. Please note that just because a pair of safety glasses bears this mark, doesn't mean it's a "fits all" type of eyewear. All protective eyewear must provide brow and temple protection and you need to make sure the glasses fit your employee properly and are comfortable for them to wear.

Gloves: Category, Thickness, Liners, & Leather

Just like the protective eyewear provision, if the label specifies "must be" then only gloves made of the material stated on the label can be worn. If the label does not specify, or says "such as", "wear chemical resistant" or "any waterproof gloves" then gloves made of 14 mil nitrile, butyl, neoprene, or other chemically resistant material are acceptable.

If a pesticide label states "wear Category A gloves", you can find what kind of materials qualify by looking in the

Gloves Continued:

new Regulations. (See 6738.3(a) has all the details.) <http://www.cdpr.ca.gov/docs/legbills/calcode/030302.htm#a6738.3>

In addition to the type of material, the new code section specifies that all glove materials must be 14 mils or thicker. -Except for barrier laminate or polyethylene materials, which don't have a specified thickness. The standard 4 mil nitrile gloves we have seen in the field will no longer be acceptable. - (And, we have already been asked... - No, you cannot wear 4 pairs of thin gloves to make up for the 14 mil thickness!)

But don't throw away those 4 mil gloves yet. The thinner gloves can be worn, but only when an employee's task requires high dexterity, such as fixing small O rings or nozzles that would be difficult with a thick glove. In instances like this, employees may wear a thinner glove with conditions. - It must be made out of the appropriate barrier material, they can't use them for longer than 15 minutes, and the glove must be discarded after use.

Glove Liners:

DPR's new rule now allows employees to wear glove liners under chemically resistant gloves as long as they are not attached to each other. (Flocked or lined gloves are still not allowed.)



- The liners can be made of cotton or other absorbent material.
- The liners cannot stick out past the end of the chemical resistant glove.
- The liners must be immediately removed and thrown away if they come into contact with any pesticide.
- They must be disposed of at the end of the day.

Leather Gloves:

If you work with thorny material while spraying (such as roses), then leather gloves can be worn over chemical resistant gloves. The leather gloves can be reused but they must never be worn without being worn over chemical-resistant gloves.

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New Personal Protective Equipment (PPE) Regulations continued:

Although not new, DPR has reorganized and reworded Section 6738 which covers personal protective equipment care. Please visit the link given under the gloves section to review all of 6738 and its subsections.

The most important things to keep in mind with §6738 are:

- All PPE is the property of the employer and must not be taken home without specific instructions to keep it separate from the employee's personal living space. (For example, in the case if an employee drives their truck home each day and they wear coveralls as their work uniform.)
- Employers must assure that when PPE isn't in use, it's kept separate from personal clothing and in a clean and pesticide-free designated place. (We see many companies use plastic tubs to satisfy this requirement.)
- If PPE such as gloves are contaminated, they must be washed with soap and water and either dried thoroughly before being stored or they are put in a well-ventilated place to dry.
- You must relay information about what chemicals have been in your spray equipment to any firm or person that is hired to clean or repair your equipment. (See Section 6744 for details)

Pesticide Safety Information Series (PSIS) Updates

DPR has revised the PSIS leaflets. The redesigned leaflets have updated graphics, were reorganized to enhance clarity, and reformatted for ease of readability when viewed on a tablet or smartphone.

In addition, PSIS N-5 wasn't revised until now to reflect the changes in respirator regulations. So, be sure to print out all of the pamphlets so you are prepared for your Employee Headquarter Inspection:

<http://www.cdpr.ca.gov/docs/whs/psisenglish.htm>

Lastly, the Proposition 65 list of pesticides known by the State to cause cancer or reproductive toxicity was updated and is available at:

<http://www.cdpr.ca.gov/docs/dept/factshts/prop65.htm>

On-Line Pesticide Use Reporting

Jump online, save a stamp and time!

There was a recently published "ranking" of on-line pesticide use reporting by County. Santa Clara County is at 40.6%! Which is a big jump from last year, so to all of you that jumped on-line, THANK YOU! For all of you that have thought: "I wonder if that would be easier?" – Please give us a call and we'll help you out.

Some structural companies were nervous about on-line reporting due to the structural code stating the stamp must be "affixed" to the use report. Starting on January 1, 2015, the Structural Code no longer has the "affix" language! Structural companies can be assured that reporting on-line is okay in the eyes of the Structural Board. So, please get on-line and bring up our reporting percentage!

Excerpt taken from the list:

<u>County</u>	<u>% reported electronically</u>
San Benito	92 %
Napa	82 %
Santa Cruz	59 %
Alameda	61 %
San Mateo	57 %
Santa Clara	40 %
Contra Costa	39 %

Grand Total for the State: 67%

There are several third party software providers who have completed pesticide use report submission interfaces with the State use reporting system, so hopefully it will be even easier to report!

We will personally help you set up your on-line reporting. Call today to set up your FREE appointment with our On-Line Use Reporting expert. We will set you up with a log-in name, password, and details of how to submit your monthly use reports.

For information about on-line pesticide use reporting, please contact Biologist Kristian Barbeau at: Kristian.Barbeau@cep.sccgov.org or you can reach him at his desk: (408) 201-0650.

2015 Pesticide Scares

DPR compiled pesticide illnesses

DPR compiled a short list of pesticide-related scares. They include unnecessary sicknesses, hospitalizations, and brushes with death. The names have been withheld to protect people's identities.



A painful lesson

In June, the San Diego County Agricultural Commissioner's Office received a report from California Poison Control about a homeowner hospitalized with second- and third-degree burns. The man was injured by a herbicide he applied to control weeds on his lawn

Investigators determined he had purchased a concentrated herbicide for weeds and grass at a hardware store and then transferred it from its original container into another, empty herbicide bottle. The latter had contained a diluted "ready to use" glyphosate herbicide.

During the application, the concentrated herbicide leaked onto the man's ungloved hands. The next day, he noticed blistering on his hands and, days later, went to an urgent care center where he was treated with antibiotics. The man's symptoms worsened and he was referred by the clinic to a dermatologist.

Finally, a week after he spilled it on his hands, he went to a hospital burn center and was immediately admitted. He underwent three surgeries to reconstruct his hands with skin grafts from his legs. He was released from the hospital two weeks later.

The San Diego Ag Commissioner's investigation determined the homeowner did not wear personal protective equipment required by the herbicide's label. He also failed to use a measuring device when mixing the herbicide. The take away message here is to follow label instructions for any pesticide and don't transfer to a container with the wrong application instructions on it.

Dangerous drink

In August 2014, a 55-year-old man mistakenly ingested two ounces of chlorpyrifos, an insecticide, thinking it was water.

The Contra Costa County Agricultural Commissioner's Office investigated and learned the farm-machinery

mechanic had taken it from his workplace and put it in a drinking container in his lunch pail. He intended to use it to treat a tree at his home. He ended up being so sick that he missed three days of work.

Since the mechanic worked in San Joaquin County, the San Joaquin County Agricultural Commissioner's Office followed up with his employer. They determined the pesticides were stored properly and locked up at the business.

It's not clear if he had permission to take the pesticide from his workplace. **[This is a good example to use in your training with your employees. - Don't take pesticides home!]**

Moral of the story: Don't store pesticides in food or drink containers, or vice versa. It is illegal, and it is dangerous.

Miserable bed bug encounter

On Sept. 11, the Los Angeles County Agricultural Commissioner's Office learned about a 54-year-old man exposed to Raid Ant and Roach Killer while trying to control bedbugs. He'd applied a can and a half to his living room carpet. After sitting down and watching the TV, he fell asleep. When he awoke, he had double vision, a headache and fever.

He was admitted to a local medical center suffering symptoms including a burning sensation on his face, diarrhea, vomiting and sweating. He was hospitalized for three days.

Investigators concluded that the man should not have used this pesticide as Raid Ant and Roach Killer is not approved for bed bug treatment. Commissioner's Office staff talked with the man about the importance of reading a pesticide's label before using it.

These stories all have a clear message for consumers; always follow all the rules and instructions that come with the pesticides. Use these chemicals with caution. Don't store pesticides in other containers.

In all three stories the County Agricultural Commissioners' staff decided that even though there were some legal violations, the victims had suffered enough and decided not to press charges.