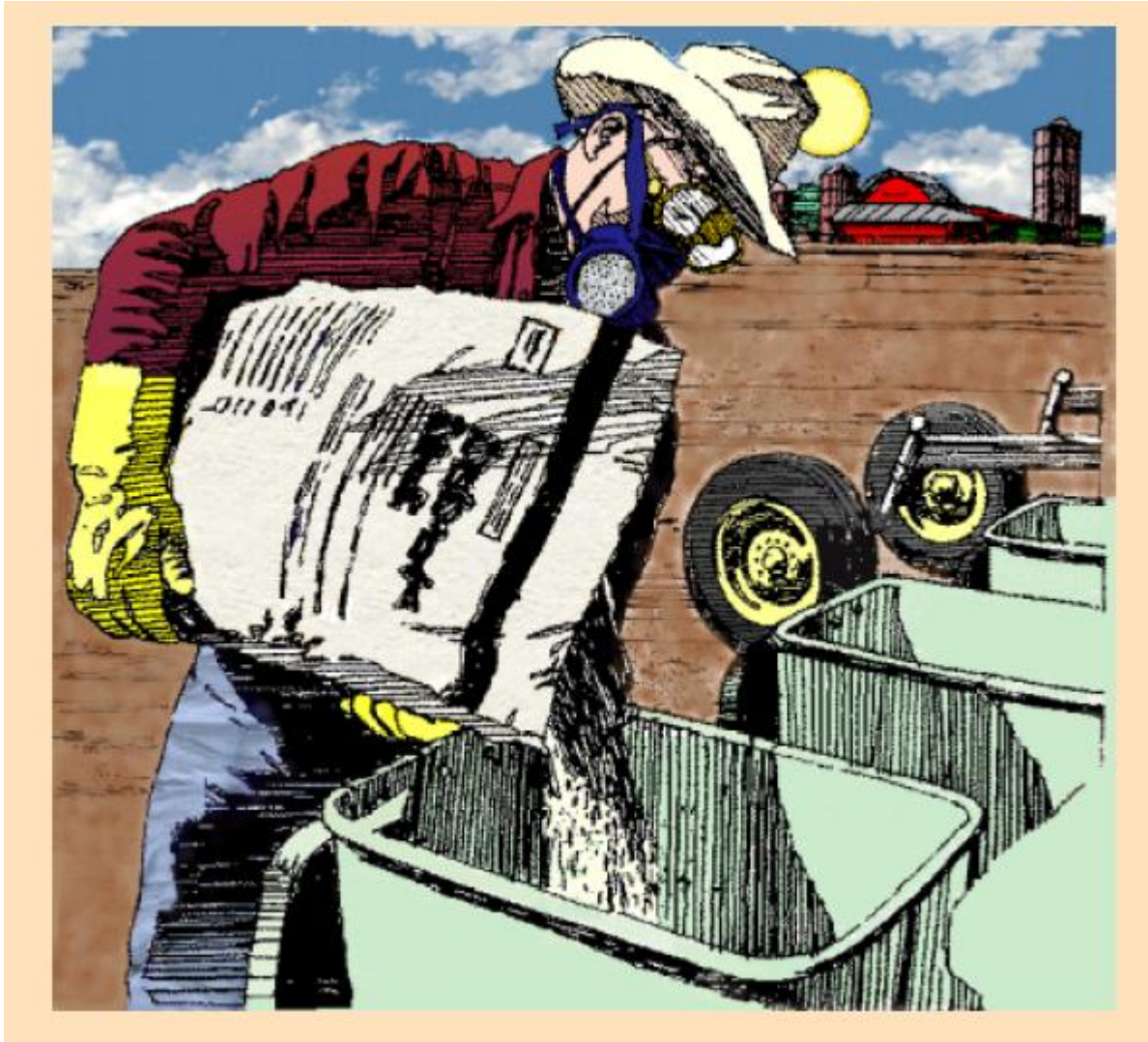


Grower's Guide



**Santa Clara County
Division of Agriculture**



TO OUR GROWERS:



This guide provides general information on what is required of a grower who uses pesticides or has pesticides applied by a pest control company for the production of agricultural or ornamental commodities.

Specific or detailed information can be provided by your County Agricultural Inspector. Information is also contained in the Pesticide Safety Information Series (PSIS) A-1 through A-11, which can be obtained from your area inspector.

You will find this guide to be very helpful in understanding the laws and regulations pertaining to the use of pesticides for the production of agricultural and ornamental commodities.

Remember:

This is a general guide. Laws and regulations are periodically updated. There is no substitute for knowing the laws & regulations that govern pesticide use. If you have questions, contact your agricultural pesticide inspector.



For more information and updates, you can access these websites:

County Agricultural Commissioner: www.sccagriculture.org

California Department of Pesticide Regulation (DPR): <http://www.cdpr.ca.gov>

Published March 2006

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Agricultural Commissioner / Weights and Measures Department*

Santa Clara County Division of Agriculture

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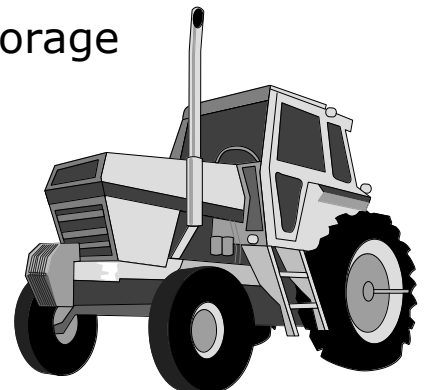
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THIS GUIDE PROVIDES INFORMATION ON THE FOLLOWING TOPICS:

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Basic Requirement

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



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).

Owners **must** meet the following requirements regardless of who applies the pesticides.

Record Keeping



You **must** keep a copy of your Operator ID and/or Restricted Materials Permit for two years.

It is the responsibility of the owner/employer to submit records reporting **all insecticide, herbicide, and rodenticide applications.**

You **must** send these pesticide use reports (PUR's) to the agricultural commissioner by the 10th day of the month following the month the pesticide application was made. (For example, June applications must be reported by July 10.) Maintain a record of these reports for 2 years and provide them to the director or commissioner upon request.

It is the employer's responsibility to keep a copy of the training records, written program, and use reports for 2 years, at a central location at the workplace. It **must** be accessible by employees.

If a pest control company does the work, then they are responsible for reporting the use. They **must** report the application within 7 days. A copy of the report must be mailed to the operator of the property within 30 days of the completion of the pesticide application. Retain these for 2 years also.

Any recommendation made by a licensed Agricultural Pest Control Adviser must be in writing. A recommendation made by the owner or property operator is not required to be in writing.

Labels

A copy of the registered label **must** be available at the work site.

Special local needs (SLN) and Section 18 registrations are supplemental labeling instructions for additional uses authorized by DPR. If a Section 18 or SLN label is being used, then a copy of that label **must** also be at the use site.

If a material has an **EPA Registration Number** on the label, it is a pesticide. This includes all pesticides (including sulfur and Roundup), rodenticides, herbicides, defoliants, growth regulators, and adjuvants.

Read the label for each material.

Non-Restricted vs. Restricted Material

NON-RESTRICTED MATERIALS

Non-restricted materials are generally the least problematic, and so have the fewest requirements.

An **Operator Identification Number**, issued by the Ag Commissioner's Office, allows the application of non-restricted materials to the fields listed on the permit.

Growers do not need to be certified applicators to apply non-restricted materials, but do if they are training employees (fieldworkers or pesticide handlers).

REPORTING

California requires 100% use reporting—all materials applied for ag production **must be reported**, with the exception of fertilizers and soil amendments. This includes all pesticides (including sulfur and Roundup), rodenticides, herbicides, defoliants, growth regulators, and adjuvants. You **must** send these pesticide use reports (PUR's) to the agricultural commissioner by the 10th day of the month following the month the pesticide application was made.

RESTRICTED MATERIALS

Some materials are more hazardous than others, even when used according to the label.

A **Restricted Materials Permit**, issued by the Ag Commissioner's Office, allows the application of California-restricted materials to the fields listed on the permit. The permit lists each California restricted material the grower intends to use.

Growers must be certified applicators to apply restricted materials; **Private Applicator Certificates (PAC)** are issued by the Ag Commissioner's Office, other licenses are issued by the state.

Prior to use of California-restricted materials, growers **must** submit a **Notice of Intent (NOI)**. NOI's are required at least 24 hours prior to an application. Certain restricted pesticides will require NOI's of an earlier notification. These conditions are specified on the permit. Inspectors verify that the application rate and method are appropriate for the crop, and evaluate the site. This review is intended to provide an additional margin of safety for workers, the public, and surrounding crops.

Employee Training



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. Growers are sometimes unaware that a worker spot-spraying Roundup is a pesticide handler.

Treated Field: A field is considered treated for 30 days following a pesticide application. Even if the pesticide has a Restricted Entry Interval of a few hours, the field is considered treated for 30 days following the expiration of the Restricted Entry Interval. **Fieldworkers must be trained** before entering a Treated Field.

A qualified person **must** do the training for handlers and/or fieldworkers. You can contact the agricultural office for qualifications.

The handler's written training program **must** describe the materials and information that will be provided, and address specific topics.

Pesticide handlers **must** be trained every year on pesticides they handle. If a new pesticide is used then that training needs to be immediately updated.

The employer **must** record the date and extent of the training. This training must be verified by the employee's signature.

The employer **must** display a completed PSIS A-8 whenever employees are working as handlers.

Fieldworkers **must** be trained within the last five years before beginning work in a treated field.

The employer **must** display a completed PSIS A-9 at the field or a central meeting place whenever employees are working as fieldworkers in a "treated field".

The employer **must** display, within 24 hours of the completion of a pesticide application, the following application specific information when employees are required to work in treated fields:

Identification of treated area, time and date of application, REI, product name, EPA registration number, active ingredients.

Field Posting



The owner or property operator **must** post treated fields when:

1. It is required by the pesticide product labeling, unless access to the field is controlled in a manner that assures no employee (other than the handlers making the application) will enter, work in, remain in, or walk within 1/4 mile during the application and the restricted entry interval.
2. If the (REI) is greater than 7 days.
3. All greenhouse application unless entry is controlled.

Post before application begins; however, do not post unless a pesticide application is scheduled within the next 24 hours.

Posting **must** be removed within 3 days after the expiration of the REI.

- General sign requirements for treated fields and greenhouses:
It must be readable from 25 feet.
And contain all of the following:
 - Skull and Crossbones symbol near the center of the sign
 - "DANGER" and "PELIGRO"
 - "PESTICIDES" and "PESTICIDAS"
 - "KEEP OUT" and "NO ENTRE"
- If the (REI) is more than 7 days, the sign **must** include the following information:
 - The date of unrestricted entry.
 - The name of the operator of the property and the field identification (if any).
- General posting locations for treated fields and greenhouses:
 - At all usual points of entry, or at the corners. If adjacent to right-of-ways, posted at not greater than **600 foot** intervals.
- Chemigation applications require additional posting information.

Chemigation is a method of irrigation whereby a pesticide is mixed with irrigation water before the water is applied to the crop or to the soil. This is a legal method of applying pesticides if allowed by the registered pesticide labeling and when used in a manner consistent with that labeling.



Safety Equipment

Personal Protective Equipment (PPE)

The employer **must** provide the employee with **regulation** required PPE (i.e. protective eyewear, gloves, footwear and other protective clothing).

The employer **must** provide the employee with the **label** required PPE (i.e. long-sleeved shirt, headgear, aprons).

Eye protection is required, by regulation, for all “hand applications”. See PSIS A-1 for some exceptions.

Protective gloves are required unless the label states otherwise. See PSIS A-1 for some exceptions.

Employers **must** assure employees are provided with and use approved respiratory protective equipment (RPE) when pesticide product labeling or regulations require RPE. See next page : Respirator Requirements.

PPE for “Danger” or “Warning” Label Pesticides

Identify the Signal word, indicating the level of immediate toxicity to humans DANGER > WARNING > CAUTION, in decreasing order of toxicity.

Coveralls **must** be used when an employee handles a pesticide with the signal word “DANGER” or “WARNING” on the label.

Exceptions include: use of a closed system or working from an enclosed cab or cockpit.

Using “Danger” Label Pesticides

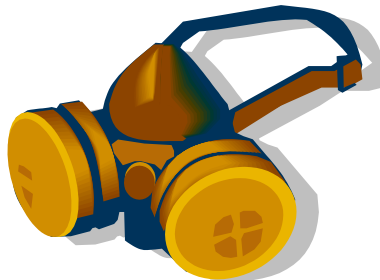
A closed system is required only for liquid-formulation pesticides with the signal word “Danger”, as well as minimal exposure pesticides.

Employees mixing, loading, or applying pesticides in toxicity category I (Danger), may not work alone unless contact is made at least every 2 hours, unless the permit specifies otherwise.

For nighttime, the interval is one hour. A pilot, mixer/loader, and/or flagger team would be considered working together. Two ground applicators in the same field are OK, if they can see one another’s vehicle.

Respirator Requirements

Employers must assure that employees use respirators when required by label, restricted material permit condition or regulation.



Voluntary Respirator Provision. An employer may provide respirators to employees or allow employees to use their own respirators on a voluntary basis. Under an *employer-supplied* voluntary respirator provision, the employer must implement a minimal written respiratory protection program. A written program is *not* required when a voluntary respirator program only involves the use of filtering facepiece.



filtering facepieces

Medical Evaluation. The employer shall identify a physician or other licensed health care professional to conduct medical evaluations to determine an employee's ability to wear a respirator. The physician shall perform the medical evaluation using the medical questionnaire found online or at your agricultural commissioner's office. The medical questionnaire and examinations shall be administered confidentially. The employer shall obtain a written medical recommendation from the physician regarding the employee's ability to use a respirator. Though only required to have the employee evaluated once, the employer shall provide additional evaluations if certain regulatory triggers are met involving the ability of the worker to wear the respirator without adverse health effects

Fit Testing. The employer shall assure that employees using tight-fitting facepieces pass an appropriate Cal/OSHA compliant fit test prior to initial use of a respirator, and at least annually thereafter.

Training and Information. Training shall be conducted prior to an employee using a respirator. Retraining shall be done annually and when the following situations occur: (1) changes in the workplace or respirator render previous training obsolete; (2) inadequacies in the employee's knowledge or use of the respirator indicate retraining is necessary; or (3) any other situation arises in which retraining appears necessary. Among other things, the employer shall ensure that the employee can demonstrate knowledge concerning why the respirator is necessary; what the limitations and capabilities of the respirator are; how to inspect and maintain the respirator; and how to recognize medical signs and symptoms that may limit or prevent the effective use of respirators.

Program Evaluation. The employer shall conduct evaluations of the workplace as necessary to ensure that the provisions of the current program are effective. The employer shall also annually consult employees required to use respirators regarding their views on program effectiveness and to identify any problems. Any deficiencies identified during this assessment shall be corrected within 30 days. A written documentation of these evaluations and consultations shall be maintained.

Recordkeeping. The employer shall retain written information regarding medical recommendations, fit testing, and the respirator program. Records shall be maintained while the employee is required to use a respirator, and for three years after the end of employment conditions requiring the use of a respirator. A written copy of the current respirator program shall be retained by the employer, and previous versions shall be retained for three years. Other requirements in Section 6739 not specifically discussed here include the following topics: selection of respirators; facepiece seal protection; procedures for Immediately Dangerous to Life or Health (IDLH) atmospheres; cleaning and disinfecting; storage of emergency respirators; inspection and repair; breathing air quality and use; identification of filters, cartridges, and canisters; and cartridge/filter service life.

It is the employer's responsibility to understand the respirator regulations and to implement the applicable portions at the worksite.



Medical Care Information

Emergency medical care for employees handling pesticides and fieldworkers who enter fields that have been treated with pesticides **must** be planned for in advance.

If employees are handling pesticides, the medical care information **must** be posted at a prominent place at the work site. Fieldworkers and their supervisors are to be informed of this information, which is provided on PSIS A-9.

In either case, if the medical care facility is not readily available, procedures to be followed to obtain immediate medical care **must** be given.

If any employee has become ill or thought to have been exposed to a pesticide which might lead to an illness, the employer **must** ensure the employee is **taken** to a doctor immediately.

Additional Medical Records & Respiratory Protection Program

The use of carbamates and organophosphates with "Warning" or "Danger" labels may require special medical supervision, record keeping and equipment.

Decontamination Facilities



For handlers, the employer **must** assure that sufficient water, soap, and single use towels are available.

If the product label requires protective eyewear, then a minimum of one pint of water for emergency eye washing **must** be immediately available.

If coveralls are being used, the employer **must** make provisions to store and clean the coveralls. Employees should not be taking coveralls home, unless it is necessary. It is recommended that the work clothes be kept in a sturdy, sealed container, until they can be properly washed at the work facility.

For fieldworkers engaged in activities in treated fields the employer **must** assure that sufficient water, soap and single use towels are reasonably accessible.

Change Areas

The decontamination facility **must** be within 1/4 mile of worker activity. The facility can be in an area under a REI for a fieldworker performing early entry activities. In no case can the facility be in an area under treatment.

Equipment Maintenance

The employer **must** inspect all application equipment and make sure that it is in good condition and safe to operate prior to any application.

For example, mixing tanks **must** have covers to prevent splashes and spills. Tanks 50 gallons or greater **must** be equipped with either a sight gauge to indicate the liquid level in the tank, or a shut-off device that will automatically stop the filling operation before the pesticide liquid mixture spills over the top.

The employer **must** provide a closed system for employees who handle liquid pesticides with the signal word "DANGER" and for minimal exposure pesticides. See PSIS A-10 for the minimal exposure pesticides.

Equipment & Container Storage



Storage

PPE must be stored separately from pesticides and application equipment, to prevent contamination.

If pesticide is transferred to a service container during use, this secondary container should be marked with the pesticide name, signal word, and the name, address, and phone number of responsible party.

To prevent accidental poisonings, **Do not put pesticides in containers designated for food, drink, or household products.** Children are especially vulnerable to poisonings when familiar bottles or jars contain pesticides.

Never transport pesticides in the same compartment of a vehicle containing persons, food or animal feed.

Pesticides **must** remain locked up when not attended. The storage of pesticides must have distinct separation from other stored materials.

The storage **must** be posted with warning signs, when the stored pesticides have the signal word, "Danger" or "Warning".

Signs must be visible from any direction of probable approach, and be readable at 25 feet.

Example

DANGER
POISON STORAGE AREA
ALL UNAUTHORIZED PERSONS KEEP OUT
KEEP DOOR LOCKED WHEN NOT IN USE

The notice shall be repeated in an appropriate language other than English when it may reasonably be anticipated that persons who do not understand the English language will come to the enclosure.

Disposal Procedures

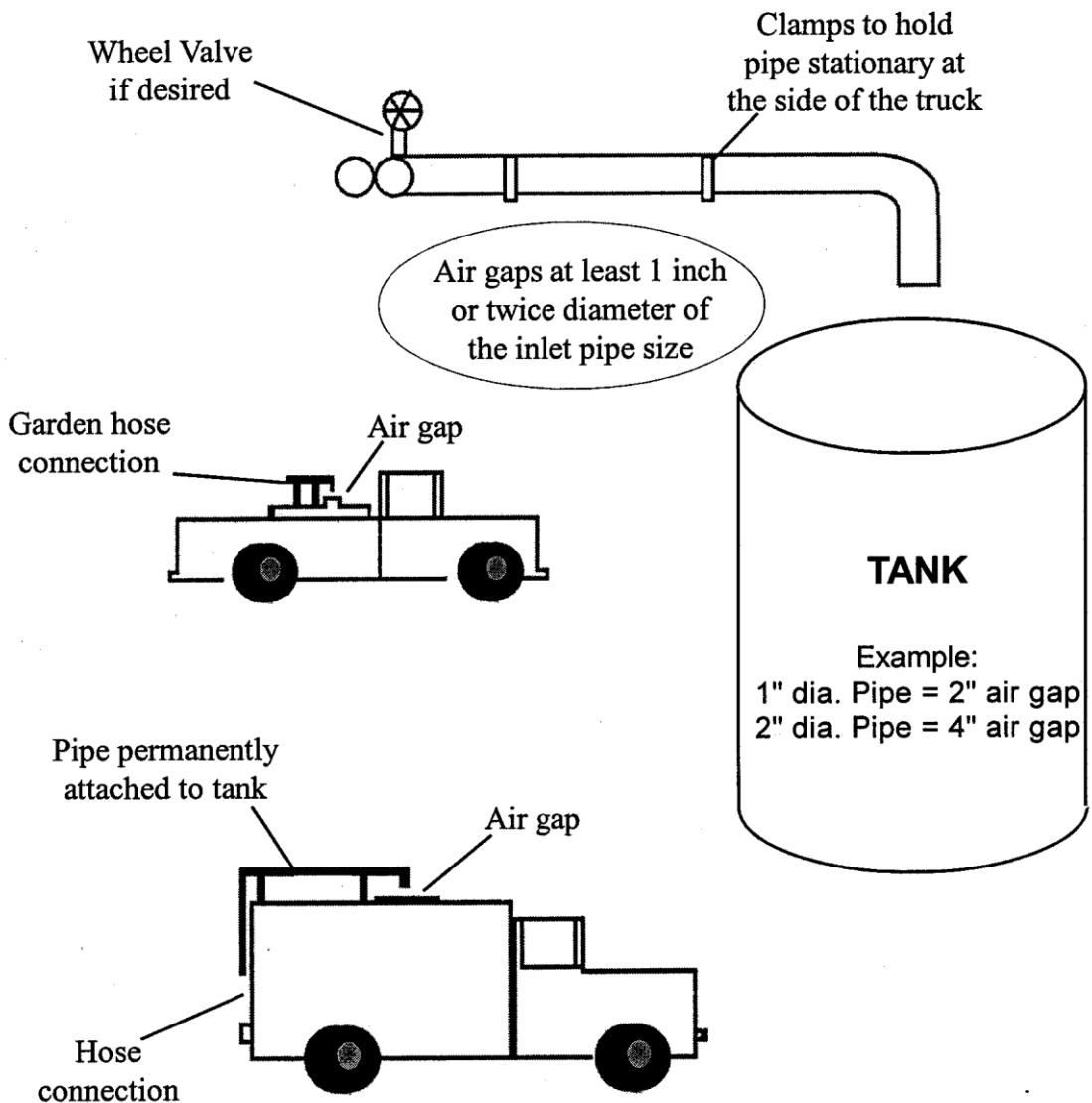
Containers of less than 28 gallons **must** be rinsed and drained at the mix and load site. Except for the containers to be returned to the registrant, follow the directions provided in PSIS A-2.

Do not refill or reuse original containers. Destroy canisters and discard in a sanitary landfill.

Air Gap

All application equipment **must** have an air-gap separation permanently affixed to the equipment. The gap needs to be at least a one inch separation. Backpack type spray equipment with a capacity not exceeding 4 gallons and hand-held sprayers of 3 gallons or less are exempt. They may be filled by hand holding a hose over the tank. The hose must be held well above the tank at all times to prevent contact with the tank or its contents.

EXAMPLE OF AIR-GAP SEPARATION



Type of affixed air gap approved by L.A. Co Health Dept.

Remember:

THIS IS A GENERAL GUIDE.

LAWS AND REGULATIONS ARE PERIODICALLY
UPDATED.

THERE IS NO SUBSTITUTE FOR KNOWING THE
LAWS & REGULATIONS THAT GOVERN PESTICIDE
USE.

IF YOU HAVE QUESTIONS,
CONTACT YOUR AREA AGRICULTURAL PESTICIDE
INSPECTOR.

