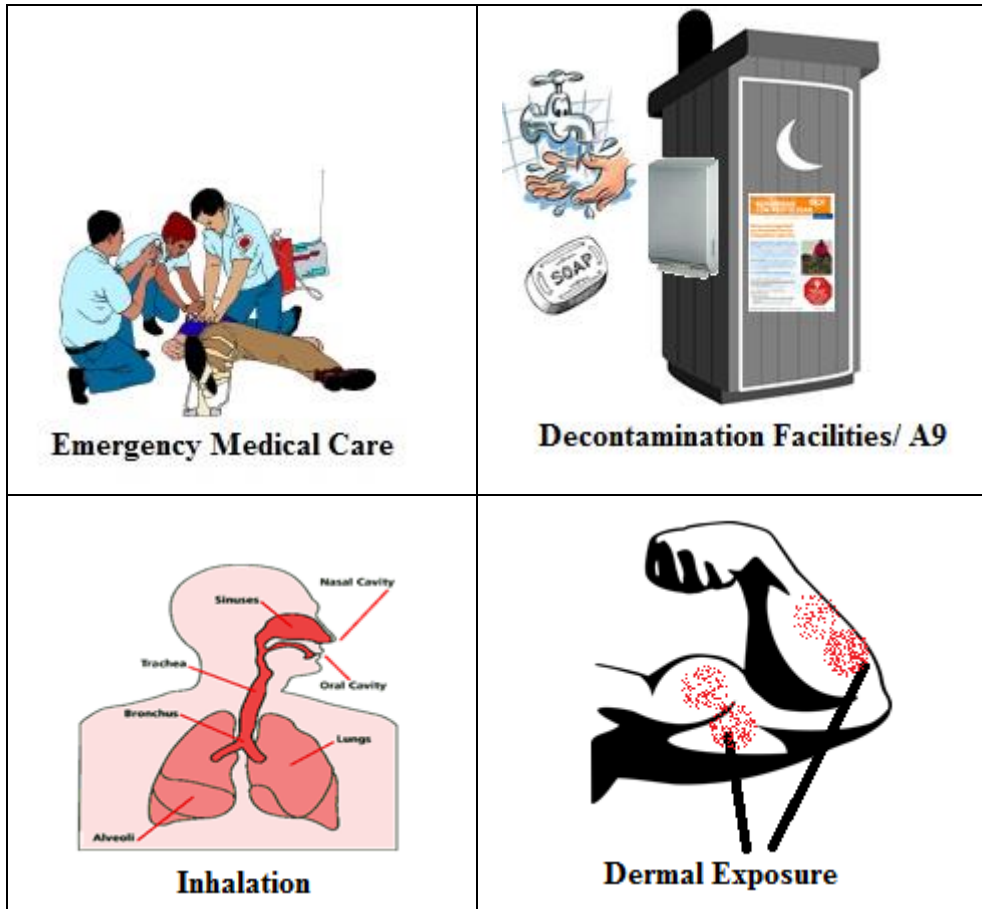


Tulare County  
Agricultural Commissioner  
MARILYN WRIGHT

# Fieldworker Safety Packet



**For**

**Employers Who Have Employees  
Who May Enter Treated Fields**

**2019**

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*Pesticide Safety Rules for Farmworkers*

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**Farm Labor Contractor Registration Requirements:**

*Register annually with the agricultural commissioner of the county or counties in which you have contracted with a grower and carry proof of registration with you at all times and exhibit the same to all persons with whom you intend to deal in your capacity as a farm labor contractor prior to so dealing. Your farm labor contractor registration is valid for the current year or until your state license expires.*

*File with the agricultural commissioner of the county or counties in which you have contracted with a grower, a correct change of address immediately upon each occasion you permanently move your address. The address shall also be the mailing address for purposes of notice required by the Labor Code or by any other applicable statute or regulations respecting service by mail.*

**NOTE: IF YOU OR ONE OF YOUR CREW FEELS PESTICIDE DRIFT FROM AN APPLICATION SITE WHILE YOU ARE WORKING IN TULARE COUNTY AND WANT TO REPORT IT PLEASE CALL 559-684-3352 MONDAY THROUGH FRIDAY 8 AM TO 5 PM. IF OUTSIDE THOSE HOURS OR ON A WEEKEND CALL TOLL FREE 1-877-378-5463.**

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**California Code of Regulations**  
**Title 3. Food and Agriculture**  
**Division 6. Pesticides and Pest Control Operations**  
**Chapter 1. Pesticide Regulatory Program**  
**Subchapter 1. Definition of Terms**  
**Article 1. Definitions for Division 6**

**§ 6000. Definitions.** (Partial listing only)

**“Application Block”** means a field or portion of a field treated in a 24-hour period that typically is identified by visible indicators, maps, or other tangible means.

**“Buffer Zone”** as used in sections 6447, 6447.1, 6447.2, and 6447.3 means an area that surrounds a pesticide application block in which certain activities are restricted for a specified period of time to protect human health and safety from existing or potential adverse effects associated with a pesticide application.

**“Carbamates”** means esters of N-methyl carbamic acid which inhibit cholinesterase.

**"Display"** means to make information available to the employee so that he or she may readily see and read the document, during normal business hours, without having to make a specific request of any person. An employee shall not be hindered or impeded from examining documents required to be displayed. This definition does not preclude using a binder or filing cabinet, that otherwise meets these criteria, to contain documents for display.

**"Early entry"** means entry into a treated field or other area after the pesticide application is complete, but before the restricted entry interval or other restrictions on entry for that pesticide have expired.

**"Employee"** means any person who, for any kind of compensation, performs work, services, or activities covered by this division.

**"Employer"** means any person who exercises primary direction and control over the work, services, or activities of an employee. A foreman, crew leader, supervisor, or similarly situated person represents the employer when hiring an employee or when exercising, or having responsibility for exercising, the primary direction and control, but is not considered the employer himself or herself.

**"Field"** means any area (including enclosed space) upon which one or more agricultural plant commodities (including forest and nursery products) are grown for commercial or research production. Field does not include range or pasture harvested by grazing animals.

**"Fieldworker"** means any person who, for any kind of compensation, performs cultural activities in a field. Fieldworker does not include persons performing tasks as a crop advisor, including field checking or scouting, making observations of the well being of the plants, or taking samples, nor does it include local, state, or federal officials performing inspection, sampling, or other similar official duties.

**"Handle"** means mixing, loading, transferring, applying (including chemigation), or assisting with the application (including flagging) of pesticides, maintaining, servicing, repairing, cleaning, or handling equipment used in these activities that may contain residues, working with opened (including emptied but not rinsed) containers of pesticides, adjusting, repairing, or removing treatment site coverings, incorporating (mechanical or

watered-in) pesticides into the soil, entering a treated area during any application or before the inhalation exposure level listed on pesticide product labeling has been reached or greenhouse ventilation criteria have been met, or performing the duties of a crop advisor, including field checking or scouting, making observations of the well-being of the plants, or taking samples during an application or any restricted entry interval or entry restricted period listed on pesticide product labeling or other handling activities specified by the label. Handle does not include inspection, sampling, or other similar official duties performed by local, state, or federal officials.

**"Hand labor"** means any cultural activity, performed by hand or with hand tools, that causes substantial contact with surfaces (such as plants or soil) that may have pesticide residues. These activities include hand harvesting, detasseling, thinning, hand weeding, topping, planting, sucker removal, pruning, disbudding, roguing, and packing produce into containers in the field. Hand labor does not include operating, moving, or repairing irrigation equipment or performing the duties of a crop advisor, field checker, or scout, making observations of the well being of the plants, or taking samples.

**"Medical supervision"** means occupational health guidance and necessary associated health evaluation by a physician licensed to practice medicine.

**"Operator of the property"** means a person who owns the property and/or is legally entitled to possess or use the property through terms of a lease, rental contract, trust, or other management arrangement.

**"Organophosphates"** means organophosphorus esters which inhibit cholinesterase.

**"Personal protective equipment"** (PPE) means apparel and devices worn to minimize human body contact with pesticides or pesticide residues that must be provided by an employer and are separate from, or in addition to, work clothing. PPE may include, chemical resistant suits, chemical resistant gloves, chemical resistant footwear, respiratory protection devices, chemical resistant aprons, chemical resistant headgear, protective eyewear, or a coverall (one- or two-piece garment).

**"Pesticide"** means:

(a) any substance or mixture of substances that is a pesticide as defined in the Food and Agricultural Code and includes mixtures and dilutions of pesticides.

(b) as the term is used in Section 12995 of the Food and Agricultural Code, includes any substance or product that the user intends to be used for the pesticidal poison purposes specified in Sections 12753 and 12758 of the Food and Agricultural Code.

**"Pesticide Safety Information Series"** means a series of leaflets that summarize health and safety aspects of various pesticides and groups of pesticides.

**"Pesticides in toxicity category one"** means pesticide products which are required to prominently display the signal word "DANGER" on the label.

**"Pesticides in toxicity category two"** means pesticide products which are required to prominently display the signal word "WARNING" on the label.

**"Restricted entry interval"** (REI) means the period of time after a field is treated with a pesticide during which restrictions on entry are in effect to protect persons from potential exposure to hazardous levels of residues. An REI may be found on pesticide product labeling or in regulation.

**"Treated field"** means a field that has been treated with a pesticide or had a restricted entry interval or entry restricted period in effect within the last 30 days. A treated field includes associated roads, paths, ditches, borders, and headlands, if the pesticide was also directed to those areas. A treated field does not include areas inadvertently

contaminated by drift or over spray.

"Use" means any pesticide related activity including:

- (a) Pre-application activities, including;
  - (1) Arranging for the application;
  - (2) Mixing or loading; and
  - (3) Making necessary preparations for the application, including responsibilities related to notification, handler training, decontamination facilities, use and care of personal protective equipment, medical monitoring and assistance, and heat stress management;
- (b) Application of the pesticide;
- (c) Post-application activities, including;
  - (1) Control of the treated area to reduce exposure, including responsibilities for restricted entry intervals, warnings, decontamination facilities, medical assistance, and fieldworker training;
  - (2) Management of the treated area, crop, or crop by-products, including responsibilities for preharvest intervals and plant back restrictions;
  - (3) Transportation, storage, and disposal of excess pesticides, spray mix, equipment wash water, and pesticide containers; and
  - (4) Cleaning of application equipment and other pesticide containing materials.
- (d) Use does not include:
  - (1) Activities where involvement is only incidental to other tasks such as emergency responders providing incident management, commercial transportation of pesticide related waste for disposal or recycling, or a waste disposal or recycling facility accepting or handling these wastes; or
  - (2) Manufacturing, formulating, or packaging (including bulk repackaging) by a registered pesticide producing establishment.

"**Work clothing**" means garments such as long-sleeved shirts, short-sleeved shirts, long pants, short pants, shoes, and socks. Work clothing is not considered personal protective equipment although pesticide product labeling or regulations may require specific work clothing during some activities. Work clothing differs from and should not be confused with a coverall. While coveralls shall be provided by the employer, work clothing can be required to be provided by the employee. Short sleeved shirts and short pants are considered acceptable work clothing only under conditions expressly permitted by pesticide product labeling.

"**Worker housing area**" means any place or area of land on or near an agricultural establishment where housing or space for housing is provided for workers or handlers by an agricultural employer, owner, labor contractor, or any other person responsible for the recruitment or employment of agricultural workers

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**Chapter 3. Pest Control Operations**  
**Subchapter 2. Work Requirements**  
**Article 1. Pest Control Operations Generally**

### **§ 6601. General Application of Standards.**

(a) Whenever pesticide product labeling requires the use of personal protective equipment or specifies other restrictions or procedures be followed, the application of that labeling requirement to an owner or operator of the property to be treated, their families, and others, shall be consistent with any applicable standards for employees in Subchapter 3, commencing with Section 6700.

(b) It is not the intent of these regulations to require separate or duplicate equipment or facilities. Equipment and facilities provided for compliance with the requirements of other agencies may also be used for complying with these regulations provided the equipment and facilities meet the requirements of these regulations.

Note: Authority cited: Sections 12976 and 12981, Food and Agricultural Code. Reference: Sections 11501, 12973 and 12980, Food and Agricultural Code.

### **§ 6618. Notice of Applications**

(a) This subsection applies to the use of any pesticide for the commercial or research production of an agricultural plant commodity. Notifications required by this subsection must be given orally or in writing and completed prior to the use of any pesticide and in ample time for all subsequent notifications to be made and for all persons notified to take appropriate action. This time will differ depending on the circumstances of each notification.

(1) Each person performing pest control shall assure that the operator of the property to be treated receives notice of the scheduled application. The notice must be in a manner the person can understand and include:

- (A) The date(s), start time(s), and estimated end time(s) of the scheduled application;
- (B) The location and description of the field to be treated;
- (C) The pesticide product name(s), U.S. EPA registration number(s), and active ingredient(s);
- (D) Spray adjuvant product name(s) and California registration number(s), if applicable;
- (E) The applicable restricted entry interval;
- (F) If the pesticide product labeling requires the posting of treated fields, oral notification, or both; and
- (G) Any other precautions printed on the pesticide product labeling, or included in applicable laws and regulations, related to the protection of employees or other persons during or after application.

(2) If there is a change in the notice of the scheduled application specified in (a)(1), each person performing pest control shall assure that the operator of the property receives notice of this change prior to the application.

(3) The operator of the property shall assure that notice of the scheduled application is given to employees covered under section 6700 (which includes fieldworkers) and their employers working on the operator's property except as provided in (a)(5). The operator of the property is not required to provide notice to persons who will apply the pesticide(s) or supervise the application for which the notice is intended.

(4) Any employer notified of a scheduled application by the operator of the property shall assure that notice of the scheduled application is given to his or her employees working on the operator's property except as provided in (a)(5).

(5) The notice specified in subsections (a)(3) and (4) is not required to be given to an employee covered under section 6700 (which includes fieldworkers) or their employer if the operator of the property can assure that:

(A) The field to be treated is posted pursuant to section 6776(b-f), unless the pesticide product labeling requires both oral notification and the posting of treated fields; or

(B) From the start of the application and until the notice of completion pursuant to section 6619(c) is received, the employee or employer will not enter or walk within 1/4 mile of the field to be treated.

(6) The operator of the property shall assure that notice is given to persons, other than those specified in subsection (a)(3), whom the operator of the property has prior knowledge that he or she will likely enter the field to be treated on the date of the application or while the restricted entry interval is in effect. This notice is not required when a field to be treated is posted as specified in section 6776(b-f).

(7) The notices specified in subsection (a)(3), (4), and (6) must be in a manner the person can understand and include:

(A) The date of the scheduled application;

(B) The location and description of the field to be treated; and

(C) Instructions not to enter the field to be treated and its application exclusion zone pursuant to section 6762 until authorized by the operator of the property.

(8) If there is a change in the date of the scheduled application specified in (a)(7)(A), then a new notice must be provided to persons specified in (a)(3), (4), and (6) prior to the application.

(b) This subsection applies to the use of any pesticide for purposes other than the commercial or research production of an agricultural plant commodity. Notifications required by this subsection must be given orally or in writing and be completed prior to the use of any pesticide and in ample time for all subsequent notifications to be made and for all persons notified to take appropriate action. This time will differ depending on the circumstances of each notification.

(1) Each person performing pest control shall assure that the operator of the property receives notice of the scheduled application. The notice must be in a manner the person can understand and include:

(A) The date of the scheduled application;

(B) The identity of the pesticide (including spray adjuvants, if applicable) by brand or common chemical name; and

(C) Any other precautions printed on the pesticide product labeling or included in applicable laws or regulations related to the protection of employees or other persons during the application.

(2) The operator of property shall assure that notice is given to all persons who are on the property to be treated, or who may enter during the application or the period of time that any restrictions on entry are in effect, except for the persons who made or supervised the application for which the notice is intended. The notice must be in a manner the person can understand and include:

(A) The date of the scheduled application;

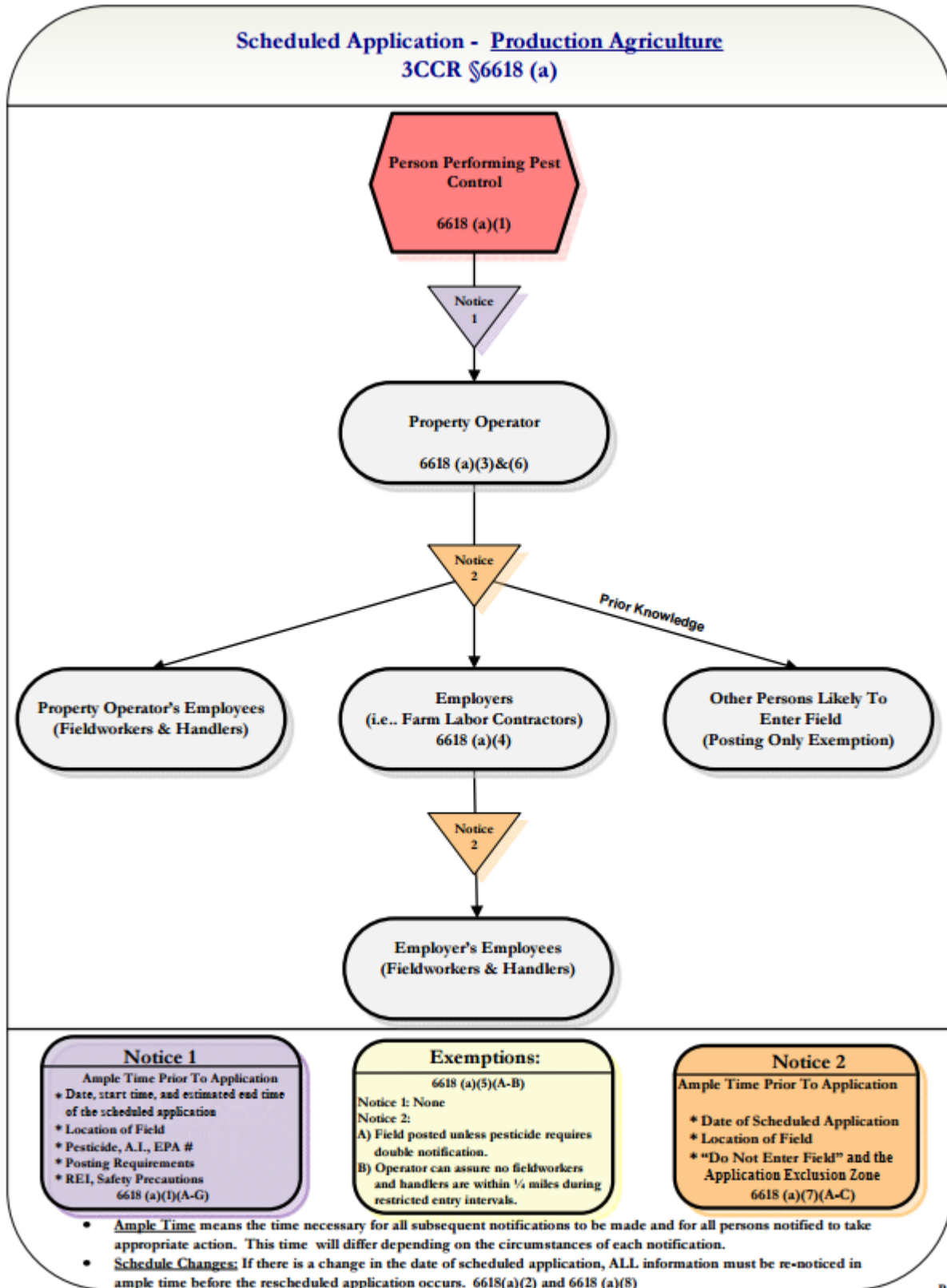
(B) The identity of the pesticide (including spray adjuvants, if applicable) by brand or common chemical name; and

(C) Precautions to be observed as printed on the pesticide product labeling or included in applicable laws or regulations related to the entry of the treated area.

(3) Compliance by licensed Structural Pest Control Operators with the notice requirements of section 8538 of the Business and Professions Code meets the requirements of this subsection.

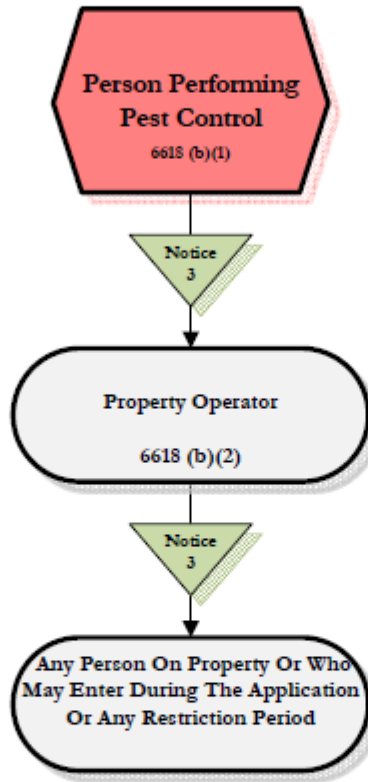
(4) Compliance by public agencies with the notice or barrier requirements of section 12978 of the Food and Agricultural Code meets the notice requirements of this subsection.

NOTE: Authority cited: Sections 12976 and 12981, Food and Agricultural Code. Reference: Sections 11501, 12980, and 12981, Food and Agricultural Code; and Section 8538, Business and Professions Code.





**Scheduled Application – Other than Production Agriculture**  
**3CCR §6618 (b)**



**Notice 3**

Ample Time Prior To Application

- \* Date of Scheduled Application
- \* Pesticide
- \* Safety Precautions

6618 (b)(1)(A-C) & (b)(2)(A-C)

**Exemptions**

3 CCR §6618 (b)(3) - Compliance by licensed Structural Pest Control Operators with the notice requirements of section 8538 of the Business and Professions Code meets the requirements of this subsection.

3 CCR §6618 (b)(4) - Compliance by public agencies with the notice or barrier requirements of section 12978 of the Food and Agricultural Code meets the notice requirements of this subsection.

## 6619. Notice of Completed Applications.

(a) Any person applying pesticides for the commercial or research production of an agricultural plant commodity shall assure that the operator of the property treated receives notice, orally or in writing, and within 24 hours of completion of the pesticide application. This notice must include the following information:

- (1) The location of the property, including the site identification number, and acreage treated;
- (2) The pesticide product name(s), U.S. EPA registration number(s), and active ingredient(s);
- (3) Spray adjuvant product name(s) and California registration number(s), if applicable;
- (4) The date(s) and time(s) the application started and ended; and
- (5) The applicable reentry and pre-harvest intervals, unless a copy of a written recommendation for the subject application made by a licensed agricultural pest control adviser, properly completed, was given to the operator of the property treated.

(b) The operator of the treated property shall maintain a written record of the application(s) on by site on their property. These records must include the date(s) and time(s) the application started and ended.

(c) The operator of the property shall assure that notice of completed application is given to employees covered under section 6700 (which includes fieldworkers) and their employers except as provided in (e). The operator of the property is not required to provide notice to persons who will apply the pesticide(s) or supervise the application for which the notice is intended.

(d) Any employer who receives the notice of completed application from the operator of the property shall assure that notice of completed application is given to his or her employees except as provided in (e).

(e) The notices specified in subsections (c) and (d) are not required to be given to an employee covered under section 6700 (which includes fieldworkers) or their employer if the operator of the property can assure that: (1) The field is posted pursuant to section 6776(b-f), unless the pesticide product labeling requires both oral notification and posting of treated fields; or (2) During the restricted entry interval, that employee or employer will not enter or walk within ¼ mile of the treated field. (f) The notices specified in subsections (c) and (d) must be given orally or in writing and in a manner the person can understand and include:

- (1) The location and description of the treated field; 4
- (2) The time during which entry is restricted; and
- (3) Instructions not to enter the treated field until the restricted entry interval has expired, except as provided in section 6770.

(g) The operator of the property shall assure that notice is given orally or in writing to persons, other than those specified in subsection (c), whom the operator of the property has prior knowledge that he or she will likely enter the treated field during the restricted entry interval. This notice is not required when a field is posted as specified in section 6776(b-f). The notice must be in a manner the person can understand and include:

- (1) The location and description of the treated field;
- (2) The time during which entry is restricted; and
- (3) Instructions not to enter the treated field until the restricted entry interval has expired. (h) A pest control

business shall maintain a written record that documents the following: (1) The name of the operator of the property treated; (2) The location of the property, including the site identification number; (3) The date and time the notice of completed application was given; and

(4) The method of notification, including the name of the person notified, if a person was notified. (i) The records required pursuant to this section must be retained for two years and made promptly available to the director or commissioner upon request.

NOTE: Authority cited: Sections 11456, 12976, and 12981, Food and Agricultural Code. Reference: Sections 11501

and 12981, Food and Agricultural Code.

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**Chapter 3. Pest Control Operations**  
**Subchapter 3. Pesticide Worker Safety**  
**Article 1. General Scope and Purpose**

**§ 6700. Scope.**

This group specifies work practices for:

- (a) Employees who mix, load, apply, store, transport, or otherwise handle pesticides for any use, except for manufacturing, formulating or repackaging of pesticides; and
- (b) For employees who are exposed to residues of pesticides after application to fields.

The requirements of this group do not allow a lower standard of protection when pesticide labeling statements require a higher standard of protection.

The requirements of this group do not apply to storage and transportation of pesticides in the manufacturer's sealed or closed container. In general, the work practices and safety requirements stated in this group are designed to reduce risk of exposure and to ensure availability of medical services for employees who handle pesticides, and to provide safe working conditions for field and other workers.

Note: Authority cited: Sections 11456 and 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

**§ 6701. Interpretation Consistent with Federal Standards.**

Whenever the context will allow, the requirements of this subchapter should be interpreted at least as strict as, and consistent, with the Worker Protection Standards in Title 40 Code of Federal Regulations, Part 170. It is intended that these regulations, rather than those in Title 40 Code of Federal Regulations, Part 170, be enforced by the Department of Pesticide Regulation and county agricultural commissioners within the State of California. Any reference to Part 170, Code of Federal Regulations on pesticide product labeling shall be considered a reference to Title 3, Division 6, California Code of Regulations when use occurs within California.

Note: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 11501, 12973, 12980 and 12981, Food and Agricultural Code.

**§ 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.

Note: Authority cited: Sections 12976 and 12981, Food and Agricultural Code. Reference: Sections 12973, 12980 and 12981, Food and Agricultural Code.

### **§ 6706. Hazardous Areas.**

When there is a reasonable suspicion by the Director or commissioner that a specific workplace has been or may be unsafe for workers due to exposure to active or inert ingredients in pesticide products, or breakdown products of these ingredients, the director or commissioner may require the employer to prohibit entry of employees into that workplace. The director or commissioner may require the employer to provide medical supervision for the period of time necessary for the director to determine the safety of the workplace to protect employees who have been working in or will enter that workplace. This medical supervision may include biological monitoring of persons for possible over-exposure to pesticide product ingredients or breakdown products of these ingredients. The director or commissioner may also specify exposure time limits and protective clothing and equipment to be worn by employees under these circumstances.

Note: Authority cited: Sections 11456 and 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

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## **Chapter 3. Pest Control Operations**

### **Subchapter 3. Pesticide Worker Safety**

#### **Article 2. General Safety Requirements**

### **§ 6722. Minimum Age Requirements.**

The employer shall not permit an employee under 18 years of age to:

- (a) handle any pesticide used in the commercial or research production of an agricultural commodity.
- (b) enter a field under a restricted entry interval.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

**Chapter 3. Pest Control Operations**  
**Subchapter 3. Pesticide Worker Safety**  
**Article 3. Field Worker Safety**

**§ 6760. Employer Responsibility and Exceptions.**

- (a) Employers shall comply with the requirements of this article to protect employees who may enter treated fields.
- (b) If only granular baits or attractants or repellents in traps have been applied in a field, the employer is exempt from the requirements of Sections 6762 (Field Work During Application), 6764 (Fieldworker Training), 6766(a) and (b) (Emergency Medical Care), 6768 (Decontamination Facilities), 6770 (Entry After Pesticide Application), 6771 (Requirements for Early Entry Fieldworkers), 6772 (Restricted Entry Intervals), 6774 (Reentry Interval Adjustments), and 6776 (Field Posting).
- (c) Pesticide applications for areawide public pest control programs sponsored by governmental agencies, such as for fruit fly eradication, and those made by vector control agencies operating under cooperative agreements with the State Department of Health Services pursuant to Section 116180 of the Health and Safety Code, and contractors of those agencies, are exempt from the requirements of this article.
- (d) If only algacides have been used to treat the irrigation system, the employer is exempt from the requirements of Sections 6762 (Field Work During Application), 6764 (Fieldworker Training), 6766(a) and (b) (Emergency Medical Care), 6768 (Decontamination Facilities), 6770 (Field Entry After Pesticide Application), 6771 (Requirements for Early Entry Fieldworkers), 6772 (Restricted Entry Intervals), 6774 (Restricted Entry Interval Adjustments) and 6776 (Field Posting).
- (e) If pesticides have been applied only by injection directly into plants the employer is exempt from the requirements of this article. Direct injection does not include “hack and squirt” methods.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code.

**§ 6761. Hazard Communication for Fieldworkers.**

- (a) Whenever employees are working as fieldworkers in a treated field, the employer shall display at the worksite and all permanent decontamination facilities and decontamination facilities servicing 11 or more fieldworkers, a copy of a completed written Hazard Communication Information for Employees Working in Fields (Pesticide Safety Information Series leaflet A-9). Any changes to the name, address, or telephone number of the facility providing emergency medical care must be updated on the Pesticide Information Series leaflet A-9 within 24 hours of the change. In the event that fieldworkers gather at a central location prior to transportation to the worksite, the Pesticide

Safety Information Series leaflet A-9, required to be at the worksite, may instead be displayed at that central location. Pesticide Safety Information Series leaflet A-9 shall be written by the department in English and Spanish. Upon request, the employer shall read to the requesting employee, in a language understandable to that employee, Pesticide Safety Information Series leaflet A-9. Pesticide Safety Information Series leaflets are available from the Department.

(b) The operator of the property shall maintain in a central location at the workplace accessible to employees, including the employees of labor contractors, who enter a treated field, the following:

(1) pesticide use records specified in section 6624(b), (c), (d), and (e) for pesticides that have been applied to the field within the last two years;

(2) a Safety Data Sheets (SDS), as specified in 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 operator of the property shall:

(A) within 7 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 operator of the property. If the operator of the property has made a written inquiry within the last 12 months as to whether the pesticide is subject to the requirement for a SDS or the operator of the property has made a written inquiry within the last 6 months requesting new, revised or later information on the SDS, the operator of the property need not make additional written inquiry. A copy of the written inquiry shall immediately be sent to the person requesting the SDS;

(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 operator of the property is not precluded from obtaining and providing the SDS utilizing other more expedient methods in lieu of those provided in this subsection.

(c) The operator of the property shall inform his or her employees, before they are allowed to enter a treated field, of the location and availability of any records and other documents required by subsections (a) and (b). If the employees are employed by a labor contractor, the operator of the property shall inform the labor contractor of the location, or changed location, of the records and other documents. The labor contractor shall provide that information to his or her employees. If the location of the records and other documents changes, the operator of the property and the labor contractor shall promptly inform his or her employees of the new location. The employer, including the labor contractor, shall also inform their employees that they, their physicians and their representatives have a right of access to the information and that the employees are protected against discharge or other discrimination due to the exercise of their rights under this section.

(d) The operator of the property shall provide, upon request of his or her employee, an employee of a labor contractor, employee representative, or an employee's physician, access to any records, documents and information required to be maintained by 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 be in writing and contain the following:

(1) The name of the employee being represented.

(2) A description of the specific information being requested. The description must include the dates of employment of the employee, the date or dates for which the records are requested, type of work conducted

by the employee (e.g., planting, harvesting, applying pesticides, mixing or loading pesticides) during the period for which the records are requested, and the specific application and/or hazard information requested.

(3) A written statement clearly designating the representative to request pesticide application and hazard information on the employee's behalf, bearing the employee's printed name and signature, the date of the designation, and the printed name and contact information for the employee representative.

(4) Directions on where the requested information should be sent (e.g., mailing address or email address).

INFORMATIONAL NOTE: Other requirements relating to hazard communication can be found in sections 6602, 6618, 6619, 6724, 6726, 6738, 6744, 6764, 6766, 6770, 6771, and 6776.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code; and 29 Code of Federal Regulations, Part 1910.1200

### **§ 6761.1 Application-Specific Information for Fieldworkers.**

(a) The operator of property used for the commercial or research production of an agricultural plant commodity shall display at a central location the following application-specific information, while fieldworkers are employed to work in treated fields on the operator's property:

- (1) The crop or site treated and identification of the treated field;
- (2) The date(s) and time(s) of the application started and ended;
- (3) Restricted entry interval;
- (4) Product name(s), U.S. EPA registration number(s), and active ingredient(s);
- (5) A copy of the Safety Data Sheet(s) for the applied pesticide(s); and
- (6) Spray adjuvant product name(s) and California registration number(s) if applicable.

(b) The information must be displayed when the operator of the property receives notice of the completion of an application and before any fieldworkers are allowed to enter the treated field. The information must include all applications that have been made to any field on the operator's property. The information must remain displayed until the area no longer meets the definition of a treated field or fieldworkers will no longer be on the operator's property, whichever occurs earlier.

(c) The operator of the property and any employer with fieldworkers hired to work on the operator's property, shall display, at the worksite or at a central location where fieldworkers gather, a description of the location of the application-specific information display whenever their fieldworkers are working in a treated field. The description of the location must be specific enough for fieldworkers to find and have unimpeded access to the displayed application-specific information. The location description must be included in the appropriate section of, or as an attachment to, the Hazard Communication Information for Employees Working in Fields (Pesticide Safety Information Series leaflet A-9) pursuant to section 6761(a).

(d) The information required by this section must be retained for two years.

(e) The original or copies of documents otherwise required to be maintained by this chapter may be used to meet the requirements of this Section, provided they contain the information required by this section.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 11501, 12973, 12980, and 12981, Food and Agricultural Code.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 11501, 12973, 12980, and 12981, Food and Agricultural Code

## § 6762. Field Work During Pesticide Application.

- (a) The requirements of this Section are minimum requirements established by the U. S. Environmental Protection Agency and do not assure compliance with the general standard in Section 6614.
- (b) No employer shall direct or allow any person, other than the persons making the application, to enter or remain in a treated area of a field during the application.
- (c) When pesticides are used for the commercial or research production of an agricultural commodity, no employer shall direct or allow any person, other than the persons making the application, to enter or remain in the application exclusion zone, as specified below.
- (1) If the pesticide is applied for outdoor production, the application exclusion zone is defined as follows:
    - (A) the area that extends 100 feet horizontally from the application equipment in all directions during application when the pesticide is applied by any of the following methods: aerially; air blast; as a fumigant, smoke, mist, or fog; or as a fine spray using a spray.
    - (B) the area that extends 25 feet horizontally from the application equipment in all directions during application when the pesticide is applied in a manner not specified in (1)(A) and is sprayed from a height of greater than 12 inches from the soil or planting medium using at least a medium spray.
    - (C) There is no application exclusion zone when the pesticide is applied in a manner other than those in subsections (1)(A) and (1)(B).
  - (2) If the pesticide is applied for enclosed space production, the application exclusion zone is defined as follows:
    - (A) The entire enclosed space plus any adjacent area that is not sealed (sufficient to prevent pesticide transfer) from the treatment site when the pesticide is applied as a space treatment fumigant, smoke, fog, aerosol, or mist) or is a pesticide for which the product labeling requires protection until ventilation criteria have been met.
    - (B) The entire enclosed space when the pesticide is applied using a fine spray until the ventilation criteria has been met.
    - (C) The treatment site plus 25 feet in all directions within the enclosed space when the pesticide is applied as a spray from a height greater than 12 inches from the soil or other planting medium, or as a spray of medium or larger.
  - (3) There is no application exclusion zone when the pesticide is applied in a manner other than those in subsection (2)(A) and (2)(B).
- (d) The American Society of Agricultural and Biological Engineers (ASABE) S572.1 or comparable standard may be used to measure and interpret spray quality (fine, medium, or larger than medium) as used in this section.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

## § 6764. Fieldworker Training

- (a) The employer shall assure that each employee assigned to work in a treated field has been trained within the last 12 months, in a manner the employee understands, before beginning work in the treated field.
- (b) The training shall include the following information:
- (1) Where and in what forms pesticides may be encountered, including treated surfaces in the field, residues on clothing, personal protective equipment, application and chemigation equipment, irrigation



water, and drift;

- (2) Potential hazards that pesticides present to fieldworkers and their families including acute, chronic, and delayed effects, and sensitization effects;
  - (3) Routes by which pesticides can enter the body;
  - (4) Signs and symptoms of overexposure;
  - (5) Routine decontamination procedures when working in a treated field and the employer's responsibility to provide decontamination supplies:
    - (A) Wash hands before eating, drinking, using the toilet, chewing gum, or using tobacco;
    - (B) Thoroughly wash or shower with soap and water; and
    - (C) Change into clean clothes as soon as possible.
  - (6) Wear work clothing that protects the body from pesticide residues when working in treated fields, and wash work clothes separately from other laundry before wearing them again;
  - (7) How Safety Data Sheets provide hazard, emergency medical treatment, and other information about the pesticides with which they may come in contact;
  - (8) The hazard communication program requirements of sections 6761 and 6761.1;
  - (9) First aid and emergency decontamination procedures including 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;
  - (10) How and when to obtain emergency medical care;
  - (11) Prevention, recognition, and first aid for heat-related illness in accordance with Title 8 of the California Code of Regulations, section 3395;
  - (12) Restricted entry intervals and what posting means, including both California and federal field posting sign formats;
  - (13) Employer responsibility to keep workers out of application exclusion zones;
  - (14) Employees must be at least 18 years old to perform early-entry activities. The responsibility of the employer to provide specific information to the employees before directing them to perform early-entry activities;
  - (15) Employers are prohibited from allowing or directing any employee to handle pesticides unless the employee has been trained as a handler;
  - (16) Do not to take pesticides or pesticide containers home from work;
  - (17) Potential hazards to children and pregnant women from pesticide exposures, including that:
    - (A) Children and nonworking family members should keep away from pesticide-treated fields;
    - (B) After working in pesticide-treated fields, 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.
  - (18) How to report suspected pesticide use violations; and
  - (19) Employee 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 commissioners.
- (c) An employee who holds a valid personal pesticide license or certificate issued by the department, current

documented pesticide handler training pursuant to section 6724, or other valid certificate of pesticide training approved by the director is considered to be trained for the purposes of this section.

(d) 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.

(e) The record of initial and annually required training given to the employee must include the date; employee's printed name and signature; the title(s) and source(s) of the training materials used; employer's name; and trainer's name and qualifications as specified in (f). This record shall be retained by the employer for two years at a central location at the workplace accessible to employees. The record must be provided to the employee upon request.

(f) The person conducting the training shall be qualified as one of the following:

(1) A California certified applicator;

(2) A person holding any other valid license or certificate of personal pesticide qualification issued by the department;

(3) A person who has completed an "instructor training" program presented by one of the following:

(A) The University of California, Integrated Pest Management Program;

(B) Other instructor training program approved by the director;

(4) A California Registered Professional Forester;

(5) A person holding a valid County Biologist License in Pesticide Regulation or Investigation and Environmental Monitoring issued by the California Department of Food and Agriculture;

(6) A University of California Extension Advisor; or

(7) Other valid trainer qualification approved by the director.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

## **§ 6766. Emergency Medical Care.**

(a) Emergency medical care for employees who enter fields that have been treated with pesticides shall be planned for in advance. The employer shall locate a facility where emergency care is available for employees who will be working in treated fields.

(b) The employees, or their supervisor in the field, shall be informed of the name and location of a physician or medical facility where emergency medical care is available, and if the identified facility is not reasonably accessible from that work location, the procedures to be followed to obtain emergency medical care.

(c) When there are 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 for a suspected pesticide exposure in the 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 person 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.

NOTE: Authority cited: Sections 11456 and 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

### **§ 6768. Fieldworker Decontamination Facilities.**

(a) The employer shall assure that sufficient water and the following are located together at the decontamination site and reasonably accessible for washing of hands and face and for emergency eye flushing to all fieldworkers engaged in activities involving contact with treated surfaces in treated fields:

(1) at least one gallon of water per employee, or three gallons of water per employee for employees engaged in early entry activities pursuant to section 6770(d). The water must be provided at the start of the work day and 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. The water 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) Soap (hand sanitizing gels and liquids or wet towelettes do not meet the requirement for soap); and

(3) Single use towels (wet towelettes do not meet the requirement for single-use towels).

(b) The decontamination facilities shall be not more than 1/4 mile from the fieldworkers (or at the nearest point of vehicular access). Employees must be notified of the location of the decontamination site prior to working in a treated field.

(c) The decontamination facilities shall not be in an area under a restricted entry interval unless the fieldworkers for whom the site is provided are performing early entry activities. The facilities shall not be in an area under treatment.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

### **§ 6769. Enclosed Space Ventilation Criteria.**

When a pesticide with product labeling requiring respiratory protection for application is applied by any method, or when any pesticide is applied as a fumigant, smoke, mist, fine spray, fog, or aerosol inside an enclosed space, ventilation shall continue until:

(a) The concentration is measured and found not to exceed any pesticide product labeling standard; or

(b) One of the following has occurred if there is no labeling standard:

(1) Ten air exchanges are complete;

(2) Two hours of mechanical ventilation, such as with fans;

(3) Four hours of passive ventilation, such as opening vents, windows, or doors;

(4) Twenty-four hours with no ventilation; or

(5) Any combination of percentage portions of (1), (2), (3), and (4) the sum of which equals 100 percent.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

### **§ 6770. Field Entry After Scheduled or Completed Pesticide Applications**

(a) The operator of the property shall not allow or direct employees covered under section 6700 (which includes fieldworkers) or their employers (except for those persons who were scheduled to apply the pesticide(s) or supervise the application) to enter a field on the date of the scheduled application unless the operator assures that:

(1) the application has not occurred; and

(2) the application will not occur during the time the employees are in the field to be treated.

(b) The operator of the property shall not allow or direct employees covered under section 6700 (which includes fieldworkers) or their employer to enter a treated field until the operator has received the notice of completion as specified in section 6619(c), and the restricted entry interval has expired or the operator of the property has assured that the restrictions and exceptions pursuant to section 6770(d) have been met.

(c) Any employer hired by the operator of the property shall not allow or direct any of his or her employees to enter a treated field until the employer has received confirmation from the operator of the property that the notice of completion as specified in section 6619(c) has been received, and the restricted entry interval has expired or the operator of the property has assured that the restrictions and exceptions pursuant to section 6770(d) have been met.

(d) The operator of the property and any hired employer shall not allow or direct any of his or her employees to enter a treated field before the restricted entry interval stated on pesticide product labeling or listed in Section 6772 has expired except as below or otherwise expressly authorized by the director pursuant to Title 40 Code of Federal Regulations, Part 170. 603(c).

(1) Pesticide handling activities. Employees may enter a treated field during a restricted entry interval to conduct pesticide handling activities, including soil incorporation (mechanical or watered-in), provided the employer assures that they are wearing the personal protective equipment specified on the pesticide product labeling for handling activities.

(2) No contact activities. Employees may enter a treated field during a restricted entry interval provided the employer assures that:

(A) There will be no contact with anything that has been treated, including soil, water, air, equipment, or plant surfaces.

(B) Inhalation exposure does not exceed any pesticide product labeling standard or, for enclosed space, the ventilation criteria in section 6769 have been met.

(3) Short-term, limited-contact activities. Employees may enter a treated field during a restricted entry interval specified on pesticide product labeling to conduct limited contact activities (including limited contact irrigation) that are necessary and unforeseen, provided the employer assures that:

(A) The restricted entry interval is not for a pesticide product with the requirement on the labeling for both oral notification and the posting of treated fields (double notification);

(B) At least four hours have elapsed since the end of the application;

(C) Inhalation exposure does not exceed the applicable pesticide product labeling standard or, for enclosed space, the ventilation criteria in Section 6769 have been met;

(D) Exposure is minimal and limited to the feet, legs (below the knees), hands, and forearms (below the elbows);

(E) The personal protective equipment required for early entry is used by the employees. The personal protective equipment and/or work clothing must conform with the label requirements for early entry PPE or consist of at least coveralls, socks, chemical resistant footwear, chemical resistant gloves, and protective eyewear (if eyewear is required by the pesticide product labeling

for early entry workers), whichever is more protective;

(F) The time in treated fields under a restricted entry interval does not exceed 8 hours in any 24-hour period for each employee entering under this exception; and

(G) No hand labor activities are performed.

(4) Short-term, high-contact activities. Employee may enter a treated field during a restricted entry interval specified on pesticide product labeling to conduct other activities, not included in (d)(1), (2), and (3) that do not involve hand labor provided the employer assures that:

(A) At least four hours have elapsed since the end of the application;

(B) Inhalation exposure does not exceed any pesticide product labeling standard or, for greenhouses, the ventilation criteria in Section 6769 have been met;

(C) The personal protective equipment specified on pesticide product labeling for early entry is used by the employees. The personal protective equipment and/or work clothing must either conform with the label requirements for early entry PPE; or consist of at least coveralls, socks, chemical resistant footwear, chemical resistant gloves, and protective eyewear (if eyewear is required by the pesticide product labeling for early entry workers), whichever is more protective; and

(D) Entry does not exceed one hour in any 24-hour period for any employee.

(E) Employees may enter a treated field after the expiration of the restricted entry interval specified on pesticide product labeling and while a restricted entry interval specified in Section 6772 is in effect to conduct activities, other than hand labor, provided that employees are wearing work clothing with long sleeves and legs, shoes with socks, and gloves.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code

### **§ 6771. Requirements for Early Entry Employees**

(a) Before any employee may enter a field under restricted entry as permitted by section 6770, the employer shall assure that the employee has been informed orally of the following in a manner that he or she can understand:

(1) Location of early-entry area where work activities are to be performed;

(2) Pesticide(s) applied;

(3) Dates and times that the restricted-entry interval begins and ends;

(4) Specific restrictions and conditions pursuant to section 6770 about the work activity to be performed;

(5) Pesticide product labeling precautionary statements related to human hazards;

(6) Symptoms of poisoning;

(7) Emergency first aid and decontamination procedures for pesticide injuries or poisonings, including emergency eye flushing techniques;

(8) How to obtain emergency medical care;

(9) The prevention, recognition, and first aid for heat-related illness if personal protective equipment is used in accordance with Title 8 of the California Code of Regulations, section 3395;

(10) Location of the Pesticide Safety Information Series leaflets A-8 and A-9 as required by sections 6723 and 6761;

- (11) The need for, use, and care of personal protective equipment required for early entry into treated fields;
- (12) That clothing and personal protective equipment may be contaminated with pesticide residues;
- (13) Instructions for removing and storing such clothing and equipment, and laundering such equipment; and
- (14) The importance of washing thoroughly at the end of the exposure period.
- (b) The employer shall provide all required personal protective equipment and provide for its cleaning (according to pesticide labeling instructions or, absent any instructions, washed in detergent and hot water), repair and replacement when it cannot be adequately cleaned or properly repaired. The employer shall assure that all personal protective equipment is inspected before each day of use. The employer shall assure that all personal protective equipment is kept separate from personal clothing, in a pesticide free, specifically designated place, when not in use. All required personal protective equipment required for employees must meet the applicable standards in sections 6738 through 6739.
- (c) The employer shall assure that personal protective equipment is used correctly for its intended purpose.
- (d) The employer shall assure that cleaned personal protective equipment is dried or stored in a well-ventilated place to dry. The employer shall assure that contaminated personal protective equipment is kept and washed separately from other clothing or laundry.
- (e) Personal protective equipment must remain the property of the employer. Employees shall not be allowed or directed to take home pesticide contaminated personal protective equipment. The employer shall inform any person who cleans or launders personal protective equipment that the equipment may be contaminated, about the hazards presented, and how to properly handle and clean it.
- (f) The employer shall assure that at least one pint of eyeflush water is immediately accessible (carried by the employee or on the vehicle being operated by the employee) to each employee who is performing, during any restricted entry interval specified on pesticide product labeling, early entry activities in a treated field for which the pesticide product labeling requires protective eyewear.
- (g) The employer shall assure that employees engaged in tasks pursuant to section 6770(d) are provided, at the place where they remove personal protective equipment, at least three gallons of water per employee, soap, and clean or single use towels so that they may wash thoroughly at the end of the exposure period. The 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.
- (h) The employer shall assure that a clean, pesticide-free place for storing personal clothing and putting on personal protective equipment at the start of work and taking off personal protective equipment at the end of the exposure period is provided for employees.
- (i) The employer shall take appropriate measures to prevent heat related illness, when necessary.
- (j) The employer shall assure that one clean change of coveralls is available for employees engaged in tasks pursuant to section 6770(d) at the decontamination site.

NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

### **§ 6772. Restricted Entry Intervals.**

(a) The restricted entry intervals specified in this Section shall be applied according to the following:

- (1) Other restricted entry intervals are found on pesticide product labeling. In case of an inconsistency between the pesticide product labeling and this Section, the longer restricted entry interval shall be followed;
- (2) If more than one restricted entry interval in this Section is applicable to a given situation, the longer restricted entry interval shall apply, except as provided in Section 6774;
- (3) When reference is made to pounds of a pesticide in a restricted entry interval, the reference means pounds of active ingredient;
- (4) A day is considered to be a 24-hour period beginning at the conclusion of the application to the identified field or portion of a field.

(b) The restricted entry intervals in days in the following table apply to the pesticide/crop combinations listed.

PESTICIDE	CROPS					OTHE R CROP S
	AP- PLES	CITR US	COR N	GRAP ES	PEACHES/NECTA RINES	
<b>Azinphos-methyl</b>	14(B)	30		21	14(B)	14(A)( B)
<b>Chlorpyrifos</b>		2				
<b>Diazinon</b>		5		5	5	
<b>Endosulfan</b>	2	2	2	2	2	2
<b>Malathion</b>		1		1	1	
<b>Methidathion (Supracide)</b>		30				
<b>Methomyl (Lannate)</b>				7(C)		
<b>Parathion-methyl (non-encapsulated)</b>	14	14(D)	14(D)	14(E)	21	14(D)
<b>Phorate (Thimet)</b>			7			
<b>Phosmet (Imidan)</b>				5	5	
<b>Propargite (Omite/Comite)</b>	21	42	7	30	21	21(F)( G)
<b>Sulfur</b>				3(H)		

Footnotes:

- (A) This restricted entry interval for other crops applies to stone fruit, such as apricots, cherries, plums, and prunes, and pome fruit, such as pears, only. Stone fruit does not include almonds and other nut crops.

(B) If the total Azinphos-methyl applied in the current calendar year is 1.0 pounds per acre or less, thinning may be done after seven days.

(C) Applications of methomyl made after August 15 have a 21-day restricted entry interval. This interval may be terminated after 10 days if leaf samples tested pursuant to Section 6774 (c)(4) show 0.1 micrograms per square centimeter or less of dislodgeable foliar residue of methomyl.

(D) This restricted entry interval applies only when more than one pound per acre of non-encapsulated parathion-methyl is applied.

(E) The restricted entry interval for non-encapsulated parathion-methyl on grapes in Monterey County is six days.

(F) The restricted entry interval for strawberries and field grown roses treated with propargite is 3 days.

(G) The restricted entry interval for cotton fields treated with propargite is seven days. However, from the end of the restricted entry interval until the beginning of harvest, the employer shall assure that employees entering propargite treated cotton fields wear work clothing with long sleeves and legs and gloves.

(H) This restricted entry interval for sulfur applies from May 15 through harvest in the counties of: Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare; and during March and April in Riverside County.

**INFORMATIONAL NOTE FOR Section 6772:** The inclusion of a restricted entry interval in this Section does not imply that the use of a pesticide is currently registered. Consult the pesticide product labeling for permitted registered uses.

Note: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

#### **§ 6774. Restricted Entry Interval Adjustments.**

(a) The adjustments in this Section apply only to restricted entry intervals specified in Section 6772.

(b) Whenever a mixture of two or more organophosphate pesticides is applied, the restricted entry interval shall be lengthened by adding to the longest applicable restricted entry interval listed in 6772, 50 percent of the next longest applicable restricted entry interval.

(c) When there is no foliage on the plant that has been treated by a pesticide and any crop or weed cover in the treated area is not over four inches in height, the restricted entry interval shall be reduced by 50 percent, but in no case to less than the restricted entry interval specified on the pesticide product labeling.

(d) A restricted entry interval may be shortened to not less than the restricted entry interval specified on the pesticide product labeling upon verification by the county agricultural commissioner that one of the following has occurred:

- (1) Two inches of rainfall within any seven-day period following the pesticide application;
- (2) The equivalent of two inches of rainfall has been applied evenly above all plants by sprinkler irrigation equipment within any seven-day period following the pesticide application;
- (3) For tree crops, at least 50 gallons of water has been applied at one time under pressure and evenly distributed to each tree; or
- (4) The plants have been tested by a procedure acceptable to the director and determined to have no residues or to have residue levels that the director considers not to be hazardous.

(e) Whenever the pesticide product labeling specifies that a restricted entry interval be adjusted when outdoor applications are made in areas that receive less than 25 inches of average annual rainfall, the restricted entry interval specified for the dry areas shall apply to all outdoor applications in the State. A county agricultural commissioner,



upon presentation of valid rainfall data from an official governmental source showing that an area within his or her county receives 25 inches or more of average annual rainfall, may exempt that area from this requirement.

Note: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

### § 6776. Field Posting.

(a) The operator of the property shall assure that signs are posted around treated fields in the following circumstances:

(1) Whenever required by pesticide product labeling, unless access to the treated 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) Applications in an entirely enclosed space unless access is controlled in a manner that assures no employee (other than the handlers making the application) will enter, work in, remain in, or pass through the enclosed space during the application and the restricted entry interval.

(3) All other applications made in an enclosed space not specified in (2) that result in a restricted entry interval of greater than four hours, unless access to the enclosed space 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.

(4) Any application that results in a restricted entry interval greater than 48 hours as specified on the product label unless access to the treated 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.

(b) The signs shall be of a size so that the wording specified in (2) and (3) is readable and the skull and crossbones symbol is clearly visible, to a person with normal vision, from a distance of 25 feet. Signs complying with the size requirements of Title 40 Code of Federal Regulations, Part 170.409 are considered to be readable at 25 feet. The signs shall contain the following:

(1) The skull and crossbones symbol near the center of the sign;

(2) The words “DANGER” and “PELIGRO” and “PESTICIDES” and “PESTICIDAS” in the upper portion of the sign;

(3) The words “KEEP OUT” and “NO ENTRE” in the lower portion on the sign;



(4) Whenever the sign is used to indicate a restricted entry interval of more than 7 days, the following

information in the lower portion of the sign:

- (A) The date of unrestricted entry;
  - (B) The name of the operator of the property; and
  - (C) The field identification, (if any);
- (5) All letters and the symbol shall be of a color which sharply contrasts with their immediate background; and
- (6) The Spanish portion of the sign may be replaced with another non-English language which is read by a majority of workers who do not read English. The replacement sign must be in the same format and meet the same size and other requirements as the original.



(c) The signs shall:

- (1) Be posted before the application begins but shall not be posted unless a pesticide application is scheduled within the next 24 hours;
- (2) Remain posted and clearly legible throughout the application and the restricted entry interval; and,
- (3) Be removed within three days after the end of the restricted entry interval and before any entry prohibited during a restricted entry interval.

(d) The signs shall be posted so that they are visible at all usual points of entry to the treated area, including each road, footpath, walkway, or aisle that enters the treated field, and each border with any worker housing area within 100 feet of the treated field. If there are no identified usual points of entry to the treated field, signs shall be posted at the corners of the treated field. When a treated field is adjacent to an unfenced public right-of-way, such as a road, trail, or path, additional signs shall be posted at each end of the treated field and at intervals not exceeding 600 feet along the treated field's border with the right-of-way.

(e) When a pesticide product with the signal word "DANGER" on the label, or a minimal exposure pesticide listed in section 6790, is being applied to a field through an irrigation system, signs shall be posted in the manner specified in (d). These signs shall contain the following:

- (1) An octagon stop sign symbol at least eight inches in diameter containing the word "STOP" in English;
- (2) The words "KEEP OUT" and "NO ENTRE" above the symbol and the words "PESTICIDES IN IRRIGATION WATER" and "PESTICIDAS EN AGUA de RIEGO" below the symbol;
- (3) All letters shall be at least 2-1/2 inches tall; and
- (4) All letters and the symbol shall be of a color which sharply contrasts with their immediate background.



(f) When a fumigant is applied to a field, signs shall be posted in the manner specified in (d). These signs shall contain the following information instead of the information specified in (b):

- (1) The skull and crossbones symbol; and
- (2) The following statements:
  - (A) "DANGER/PELIGRO";
  - (B) "Area under fumigation, DO NOT ENTER/NO ENTRE";
  - (C) "(Name of Fumigant) Fumigant in use";
  - (D) The date and time of the fumigation; and
  - (E) The name, address, and telephone number of the applicator.



NOTE: Authority cited: Section 12981, Food and Agricultural Code. Reference: Sections 12980 and 12981, Food and Agricultural Code.

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**California Labor Code**  
**Division 2. Employment Regulation and Supervision**  
**Part 6. Licensing**  
**Chapter 3. Farm Labor Contractors**

**§ 1695.**

- (a) Every licensee shall do all of the following:
  - (1) Carry his or her license and proof of registration issued pursuant to paragraph (8) with him or her at all times and exhibit the same to all persons with whom he or she intends to deal in his or her capacity as a farm labor contractor prior to so dealing.
  - (2) File at the United States Post Office serving the address of the licensee, as noted on the face

of his or her license, with the office of the Labor Commissioner, and with the agricultural commissioner of the county or counties in which the labor contractor has contracted with a grower, a correct change of address immediately upon each occasion the licensee permanently moves his or her address. The address shall also be the mailing address for purposes of notice required by the Labor Code or by any other applicable statute or regulations respecting service by mail.

(3) Promptly when due, pay or distribute to the individuals entitled thereto, all moneys or other things of value entrusted to the licensee by any third person for this purpose.

(4) Comply on his or her part with the terms and provisions of all legal and valid agreements and contracts entered into between the licensee in his or her capacity as a farm labor contractor and third persons.

(5) Have available for inspection by his or her employees and by the grower with whom he or she has contracted a written statement in English and Spanish showing the rate of compensation he or she receives from the grower and the rate of compensation he or she is paying to his or her employees for services rendered to, for, or under the control of the grower. Upon written request, the statement shall be provided to a current or former employee or the grower within 21 calendar days. A licensee who fails to comply with this paragraph is subject to a civil penalty of seven hundred fifty dollars (\$750) recoverable by the employee or the grower.

(6) Take out a policy of insurance with any insurance carrier authorized to do business in the State of California in an amount satisfactory to the commissioner, which insures the licensee against liability for damage to persons or property arising out of the licensee's operation of, or ownership of, any vehicle or vehicles for the transportation of individuals in connection with his or her business, activities, or operations as a farm labor contractor.

(7) Have displayed prominently at the site where the work is to be performed and on all vehicles used by the licensee or his or her employees or agents for the transportation of employees the rate of compensation the licensee is paying to his or her employees for their services, printed in both English and Spanish and in lettering of a size to be prescribed by the Department of Industrial Relations.

(8) Register annually with the agricultural commissioner of the county or counties in which the labor contractor has contracted with a grower.

(9) Provide information and training on applicable laws and regulations governing worker safety, including the requirements of Article 10.5 (commencing with Section 12980) of Chapter 2 of Division 7 of the Food and Agricultural Code, sexual harassment, or regulating the terms and conditions of agricultural employment, to each crewleader, foreperson, or other employee whose duties include the supervision, direction, or control of any agricultural worker on behalf of a licensee, or pursuant to, a contract or agreement for agricultural services entered into with a licensee.

(b) The board of supervisors of a county may establish fees to be charged each licensee for the recovery of the actual costs incurred by commissioners in the administration of registrations and change of address and the issuance of proofs of registration.

*(Amended by Stats. 2014, Ch. 750, Sec. 6. (SB 1087) Effective January 1, 2015.)*

Pesticide Training  
**Fieldworker Training Record**

Name of Employer: \_\_\_\_\_ Date of training: \_\_\_\_\_

Crew Identification (optional): \_\_\_\_\_ Crew foreman (optional): \_\_\_\_\_

**See Next Page for Name(s) of Trainees**

Name of Trainer: _____	
<input type="checkbox"/> Certified Applicator: Type _____ Lic/Cert # _____	<input type="checkbox"/> Pest Control Adviser License # _____
<input type="checkbox"/> UCCE Advisor	<input type="checkbox"/> Registered Professional Forester # _____
<input type="checkbox"/> Instructor Training Program (attach certificate copy)	<input type="checkbox"/> County Biologist License from CDFA
	<input type="checkbox"/> Other DPR-approved qualification (attach copy)

**Fieldworker Pesticide Safety Training Topics** required by 3CCR section 6764:

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| <ul style="list-style-type: none"><li><input type="checkbox"/> - Where and in what forms pesticides and residues may be encountered</li><li><input type="checkbox"/> - Potential hazards that pesticides present to fieldworkers and their families, including acute, chronic, delayed, and sensitization effects</li><li><input type="checkbox"/> - Routes pesticides can enter the body</li><li><input type="checkbox"/> - Signs and symptoms of overexposure</li><li><input type="checkbox"/> - Prevention, recognition, and first aid for heat-related illnesses per 8CCR section 3395</li><li><input type="checkbox"/> - Wear work clothing that protects the body from pesticide residues. Wash work clothes separately from other laundry.</li><li><input type="checkbox"/> - Information provided by Safety Data Sheets</li><li><input type="checkbox"/> - Hazard communication requirements (Pesticide use records, Application-Specific Information, SDS availability, Completed A-9 location)</li><li><input type="checkbox"/> - Routine decontamination procedures and the employer's responsibility to provide decontamination supplies<ul style="list-style-type: none"><li>• Wash hands before eating, drinking, using the toilet, chewing gum, or using tobacco;</li><li>• Thoroughly wash or shower with soap and water;</li><li>• Change into clean clothes as soon as possible.</li></ul></li><li><input type="checkbox"/> - First aid and emergency decontamination procedures (including emergency eye flushing and procedures if pesticides are spilled or sprayed on the employee)</li><li><input type="checkbox"/> - How and when to obtain emergency medical care</li></ul> | <ul style="list-style-type: none"><li><input type="checkbox"/> - REIs and what field posting means, including both California and federal field posting signs</li><li><input type="checkbox"/> - Keep out of application exclusion zones</li><li><input type="checkbox"/> - Employees must be at least 18 years old to perform early-entry activities. Employees must be provided specific information before directed to perform early-entry activities</li><li><input type="checkbox"/> - Employees cannot be allowed or directed to handle pesticides unless the employee has been trained as a handler</li><li><input type="checkbox"/> - Employees must not take pesticides home</li><li><input type="checkbox"/> - Potential hazards to children and pregnant women from pesticide exposures:<ul style="list-style-type: none"><li>• Children and nonworking family members should keep away from pesticide-treated fields;</li><li>• After work, remove boots or shoes before entering the home and remove work clothes;</li><li>• Wash or shower before physical contact with children or family members.</li></ul></li><li><input type="checkbox"/> - How to report suspected pesticide use violations</li><li><input type="checkbox"/> - Employee rights, including the right:<ul style="list-style-type: none"><li>• To receive information about pesticides</li><li>• For the employee's physician or employee representative designated in writing to receive information</li><li>• To be protected against retaliation</li><li>• To report suspected violations to DPR or county agricultural commissioner.</li></ul></li></ul> |
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| <ul style="list-style-type: none"><li>• Each employee must be trained within the last 12 months and before assignment to work in a treated field</li><li>• Training shall be presented in a manner the employee can understand using nontechnical terms, including response to questions</li><li>• Training location reasonably free from distraction and trainer must be present throughout entire presentation</li><li>• This record must be kept for two years, must be accessible to the employee, and must be provided to the employee, the County Agricultural Commissioner or the Department of Pesticide Regulation upon request</li></ul> |
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*Continued on next page*

Pesticide Training  
**Fieldworker Training Record (continued)**

Name of Employer: \_\_\_\_\_ Date of training: \_\_\_\_\_

Crew Identification (optional): \_\_\_\_\_ Crew foreman (optional): \_\_\_\_\_

**Training Materials Used** (Include videos, pamphlets, PSIS, or other training materials):

Title

Source


Use additional pages if necessary

	<b>Print Your Name</b>	<b>Sign Your Name</b>	<b>Employee ID# (optional)</b>
<b>1</b>	_____	_____	_____
<b>2</b>	_____	_____	_____
<b>3</b>	_____	_____	_____
<b>4</b>	_____	_____	_____
<b>5</b>	_____	_____	_____
<b>6</b>	_____	_____	_____
<b>7</b>	_____	_____	_____
<b>8</b>	_____	_____	_____
<b>9</b>	_____	_____	_____
<b>10</b>	_____	_____	_____
<b>11</b>	_____	_____	_____
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<b>16</b>	_____	_____	_____
<b>17</b>	_____	_____	_____
<b>18</b>	_____	_____	_____
<b>19</b>	_____	_____	_____
<b>20</b>	_____	_____	_____

## Registro de capacitación para los trabajadores del campo

Nombre del empleador: \_\_\_\_\_ Fecha de la capacitación: \_\_\_\_\_

Identificación del cuadrilla (opcional): \_\_\_\_\_ Supervisor del cuadrilla (opcional): \_\_\_\_\_

**Consulte la siguiente página para ver los nombres de las personas que toman la capacitación**

Nombre del instructor: _____	
<input type="checkbox"/> Aplicador certificado: Tipo _____	<input type="checkbox"/> Licencia del asesor de control de plagas n.º _____
<input type="checkbox"/> _____ Licencia o certificado n.º _____	<input type="checkbox"/> Silvicultor profesional registrado n.º _____
<input type="checkbox"/> Consejero de la Extensión Cooperativa de la Universidad de California (UCCE)	<input type="checkbox"/> Licencia de biólogo del condado otorgada por el Departamento de Alimentos y Agricultura de California (CDFA)
<input type="checkbox"/> Programa de Capacitación de Instructores (adjuntar una copia del certificado)	<input type="checkbox"/> Otras certificaciones aprobadas por el Departamento de Reglamentación de Pesticidas (DPR), (adjuntar una copia)

**Temas sobre la capacitación de seguridad con pesticidas para los trabajadores del campo** requeridos por 3CCR, sección 6764:

- |  |   |
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| <ul style="list-style-type: none"> <li><input type="checkbox"/> - Dónde y en qué formas se pueden encontrar pesticidas y residuos.</li> <li><input type="checkbox"/> - Los posibles riesgos que los pesticidas presentan para los trabajadores del campo y sus familias, incluidos los efectos agudos, crónicos, retardados y de sensibilización.</li> <li><input type="checkbox"/> - Las rutas por donde los pesticidas pueden entrar al cuerpo.</li> <li><input type="checkbox"/> - Las señales y los síntomas de la sobreexposición.</li> <li><input type="checkbox"/> - La prevención, el reconocimiento y primeros auxilios para enfermedades relacionadas con el calor de acuerdo con 8CCR, sección 3395.</li> <li><input type="checkbox"/> - Use ropa de trabajo que proteja al cuerpo de los residuos de pesticidas. Lavar la ropa de trabajo por separado de otras prendas.</li> <li><input type="checkbox"/> - La información provista en las hojas de seguridad.</li> <li><input type="checkbox"/> - Los requisitos de comunicación de riesgo (los registros de uso de pesticidas, la información específica de la aplicación, la disponibilidad de las hojas de datos de seguridad [SDS], la ubicación A-9 completada).</li> <li><input type="checkbox"/> - Los procedimientos de descontaminación de rutina y la responsabilidad del empleador de proporcionar suministros de descontaminación.             <ul style="list-style-type: none"> <li>• lavarse las manos antes de comer, beber, usar el baño, mascar chicle o usar tabaco;</li> <li>• lavarse o bañarse completamente con jabón y agua;</li> <li>• ponerse ropa limpia lo antes posible.</li> </ul> </li> <li><input type="checkbox"/> - Primeros auxilios y los procedimientos de descontaminación de emergencia (que incluyen el lavado de ojos de emergencia y los procedimientos si los pesticidas se derraman o se rocían en el empleado).</li> <li><input type="checkbox"/> - Cómo y cuándo obtener atención médica de emergencia.</li> <li><input type="checkbox"/> - Los intervalos de entrada restringida (REI, siglas en inglés) y lo que significa la colocación de letreros en el campo,</li> </ul> | <ul style="list-style-type: none"> <li>incluidos los señalamientos federales y de California para colocar letreros en el campo.</li> <li><input type="checkbox"/> - Mantenerse fuera de las zonas de exclusión de la aplicación.</li> <li><input type="checkbox"/> - Los empleados deben tener al menos 18 años de edad para realizar actividades de entrada anticipada. Los empleados deben recibir información específica antes de ordenarles desempeñar actividades de entrada anticipada.</li> <li><input type="checkbox"/> - No se puede permitir u ordenar a los empleados manipular pesticidas a menos que el empleado haya sido capacitado como un manipulador.</li> <li><input type="checkbox"/> - Los empleados no deben llevar pesticidas a sus hogares.</li> <li><input type="checkbox"/> - Los posibles riesgos para niños y mujeres embarazadas a causa de las exposiciones a pesticidas:             <ul style="list-style-type: none"> <li>• los niños y los miembros de la familia que no trabajen deben mantenerse alejados de los campos tratados con pesticidas;</li> <li>• después de trabajar, quitarse las botas o los zapatos antes de ingresar al hogar y quitarse la ropa de trabajo;</li> <li>• lavarse o bañarse antes de entrar en contacto físico con niños o miembros de su familia.</li> </ul> </li> <li><input type="checkbox"/> - Cómo informar sospechas de violaciones al uso de pesticidas.</li> <li><input type="checkbox"/> - Los derechos del empleado, que incluyen el derecho a:             <ul style="list-style-type: none"> <li>• Recibir información sobre pesticidas.</li> <li>• Para el representante del empleado o el médico del empleado nombrado por escrito para recibir la información sobre los pesticidas a que los que puede estar expuesto.</li> <li>• Estar protegido contra represalias.</li> <li>• Informar sospechas de violaciones al DPR o al comisionado de agricultura del condado.</li> </ul> </li> </ul> |
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- Cada empleado debe recibir capacitación durante los últimos 12 meses y antes de la asignación para trabajar en un campo tratado.
- La capacitación debe presentarse de una manera que el empleado pueda entender, usando términos no técnicos, incluyendo respuestas a preguntas.
- El sitio para la capacitación no debe tener distracciones, de manera razonable, y el instructor debe estar presente durante toda la presentación.
- Este documento debe ser guardado durante dos años, debe ser accesible al empleado y debe ser proporcionando al empleado, al Comisionado de Agricultura del Condado o al Departamento de Reglamentación del Pesticida a la solicitud.

# Registro de capacitación para los trabajadores del campo (continuación)

Nombre del empleador: \_\_\_\_\_ Fecha de la capacitación: \_\_\_\_\_

Identificación del cuadrilla (opcional): \_\_\_\_\_ Supervisor del cuadrilla (opcional): \_\_\_\_\_

**Materiales de capacitación utilizados** (Incluir videos, panfletos, Serie Información de Seguridad con Pesticida (PSIS, siglas en inglés), u otros materiales de capacitación):

Título	Fuente
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Use páginas adicionales si es necesario

	Escriba su nombre en letra de molde	Firme su nombre	N.º de identificación de empleado (opcional)
1	_____	_____	_____
2	_____	_____	_____
3	_____	_____	_____
4	_____	_____	_____
5	_____	_____	_____
6	_____	_____	_____
7	_____	_____	_____
8	_____	_____	_____
9	_____	_____	_____
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19	_____	_____	_____
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