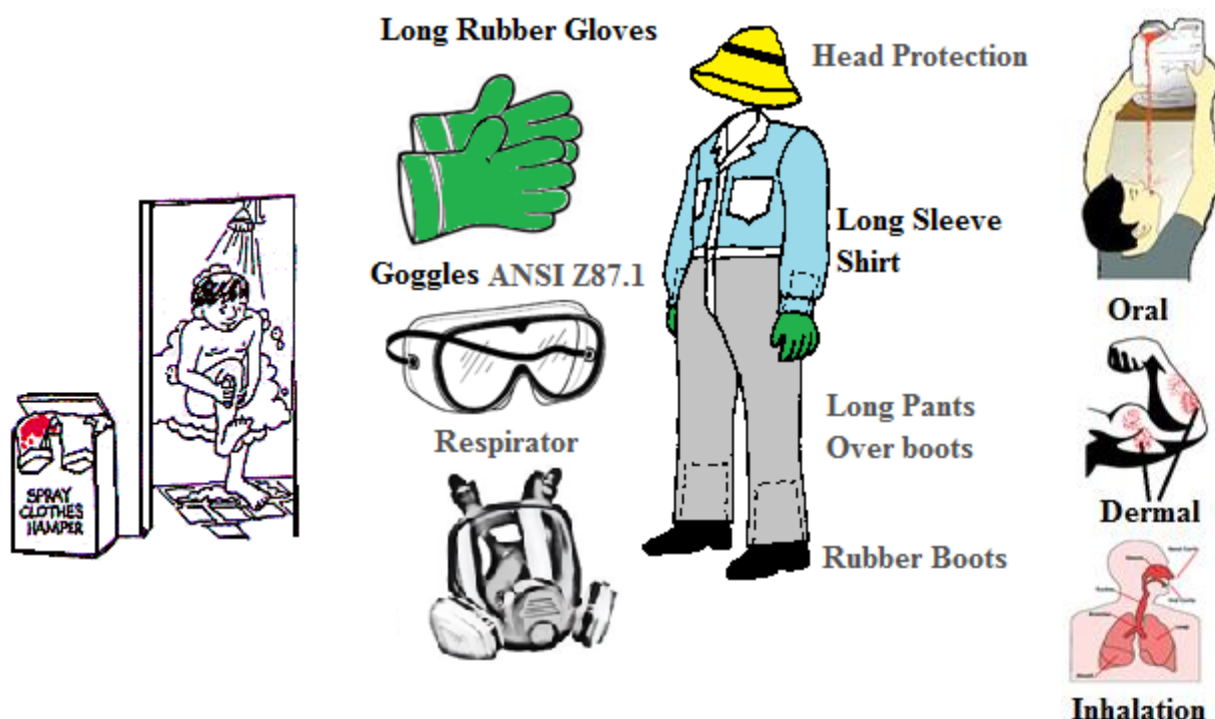


Pesticide Worker Safety Packet



For
Employers Who Have Employees Who
Handle Pesticides

2017



Tulare County
Agricultural Commissioner
MARILYN KINOSHITA



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Attachments: Available Online

Pesticide Safety Information Series (PSIS) A-8 English/Spanish:

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

Attachments: Samples of Required Records begin on Page 40

1. Medical Supervision Written Agreement
2. Written Training Program
3. Employee Pesticide Safety Training Program – English/Spanish:
4. Application Specific Information Display Chart- 2 Examples
5. Employee Pesticide Use Record for Organophosphates and Carbamates
6. Field Worker Safety Training Records – English/Spanish
7. Eye Protection Examples
8. Glove Card

ALL Pesticide Safety Information Series (PSIS) Leaflets can be found on the California Department of Pesticide Regulation Website: <http://www.cdpr.ca.gov/docs/whs/psisenglish.htm>. All leaflets are available in English, Spanish and Punjabi. Please Contact the Ag Commissioner’s office if you do not have access to the internet.

Tulare County Agricultural Commissioner, 4437 S. Laspina, Suite A, Tulare, CA, 93274, (559)-684-3352

Tulare County Agricultural Commissioner **Hours of Operation and Contact Information**

Office	Location	Phone	Hours
Dinuba	324 W. Tulare, Suite 102	(559) 591-5842 or 5855	1-2 p.m. Mon –Fri
Exeter	101 W. Pine Street	(559) 592-4075	1-2 p.m. Mon –Fri
Lindsay	240 E. Honolulu	(559) 562-6025	1-2 p.m. Mon –Fri
Porterville	75 W. Olive, Suite D	(559) 782-6811	8-9 a.m. & 1-2 p.m. Mon –Fri
Woodlake	160 S. Valencia Blvd, Ste A	(559) 564-8320	1-2 p.m. Mon –Fri
Visalia Warehouse (for Vertebrate Baits)	14173 Ave. 256 (Ave 256 & Lovers Lane)	(559) 733-6476	<u>8:00 a.m. to 12:00 p.m.</u> <u>Mondays Only</u>
Tulare Main Office	4437 S. Laspina Street, Ste A	(559) 684-3352 or 50	8:00 a.m. to 5:00 p.m. Mon-Fri
		**Fax Number for Main office (559) 713-3770	**Closed on Holidays
		** Email address: aginfo@co.tulare.ca.us	

Pesticide Related Internet Websites

California Department of Pesticide Regulation:	www.cdpr.ca.gov/
Tulare County Agricultural Commissioner:	http://agcomm.co.tulare.ca.us
UC Statewide IPM Program:	http://ipm.ucanr.edu/index.html
CalAg Permits:	http://www.calagpermits.org

Pesticide Use Reports

PUR's may be mailed to or dropped off at:

Tulare County Agricultural Commissioner
4437 South Laspina Street, Suite A
Tulare, CA 93274

or

Electronically transferred via a computer/modem (Contact Tulare office for specifics)

or

Over the web through a secured web site (Contact Tulare office for information and password)

****PESTICIDE USE REPORTS ARE NOT ACCEPTED BY FAX****

Notices of Intent (NOI's)

NOI's may be delivered to the Tulare Main Office (drop-box) or sent by fax to (559-713-3770)

NOI's can be dropped off at any of the district offices.

NOI's must be received **NO LATER THAN 4:00 P.M. the day prior to the proposed application for review.**

NOI's must have the proposed date and TIME.

NOI's are required for all pesticides listed in Title 3 CCR 6400 (b), (c), and (d), (e) - when used in Ground Water Protection Areas.

Phenoxy & Other Herbicides – Regulations Explained

Affected Herbicides: 2,4-D, 2,4-DB, 2,4-DP, MCPA, Dicamba, and Propanil.

Affected Period: March 16 and continuing through October 15 of each calendar year

(The Commissioner may set an earlier date per FAC section 14006.6(a)).

Affected Area: All of Tulare County lying west of a line drawn southeasterly from the northwest corner of Township 15 south, Range 25 east on the Fresno-Tulare County line to the southeast corner of Township 17 south, Range 27 east; thence due south along said east boundary of Range 27 east to the Kern County boundary line.

Restrictions:

1. The commissioner may require that any application be made only under his direct supervision.
2. No application shall be made on any area situated within 2 miles of any cultivated commercial vineyard or cotton planting belonging to any person other than the owner of the property being treated -- unless there is a continuous air flow away from such planting -- but in no case shall any application be made within ½ mile of such plantings. *(This restriction does not apply to dicamba and propanil).*

In Tulare County, crops that are considered to be sensitive to damage from these herbicides include, but not limited to, **COTTON, SUGARBEETS, TOMATOES and GREAPVINES or DECIDUOUS TREEFRUIT** with evidence of bud break. Also considered to be sensitive to damage is **NEWLY PLANTED ALFALFA.**

3. When used below 1,000 feet elevation a smoke column or other device satisfactory to the commissioner shall be employed at the time and place of air applications to indicate to the pilot of the aircraft temperature inversions and the direction and velocity of the air flow. Unless expressly authorized by permit no herbicide in an ester form shall be applied.

Other Phenoxy Herbicide Restrictions:

Between March 16 and March 31 no application shall be made by aircraft, nor shall any aircraft be loaded *(The commissioner may set earlier date per FAC section 14006.6(a)). (This restriction does not apply to dicamba and propanil).*

Cotton Defoliation - Regulation Explained

Pest Control Advisors making written recommendations contrary to the following restrictions will be in violation of FAC Section 12003(f) and CCR Section 6556(e).

Restrictions for Cotton Defoliation

1. Applications of “DEF”, “Folex” and paraquat shall not in any case be made within 1/8 mile of any school.
2. Applications of paraquat shall not be made within 1/8 mile of any area zoned as residential, or area designated by the Commissioner as inhabited residential. (see definition of “inhabited residential areas designated by the commissioner” on page 17)
3. Applications of “DEF” or “Folex” shall not be made within 1/2 mile of any area zoned as residential, or area designated by the Commissioner as inhabited residential.
4. Applications of “DEF” or “Folex” shall not be made within 1/2 mile of any school due to be in session within 24 hours.

Inhabited residential areas designated by the Commissioner include, but are not limited to, the following: 3 or more houses that are contiguous and on 2 or less acres per house; hospitals, rest homes, highway rest areas, parks, labor camps, businesses and churches when occupied or due to be occupied within 24 hours. Also included are dairies with 3 or more houses.

Pesticides Toxic to Bees - Section 6650

- Pesticides toxic to bees are those that include the words “toxic to bees” on the labeling of the pesticide, regardless of modifying words on the label that stated “highly or moderately.”
- Bees are considered to be inactive from one hour after sunset to two hours before sunrise or when the temperature is below 55 degrees Fahrenheit. The sunset and sunrise times will be those indicated in the local newspaper.
- Residual Toxicity (RT) time is that period of time after completing a pesticide application until there is a minimal toxic effect to the bees.

Notification to Beekeepers - Section 6654

Each person intending to apply any pesticide toxic to bees to a blooming plant (includes weeds and cover crops) shall inquire of the commissioner, or of a notification service designated by the commissioner, whether any beekeeper with apiaries within one mile of the application site has requested notice of such applications.

If the person performing pest control is so advised, he or she shall notify the beekeeper, at least 48 hours in advance of the application, of:

- The time and place the application is to be made,
- The crop and acreage to be treated,
- The method of application,
- The identity and dosage rate of the pesticide to be applied, and
- How the person performing pest control may be contacted by the beekeeper.

Chapter 1. Pesticide Regulatory Program
Subchapter 1. Definition of Terms
Article 1. Definitions for Division 6.

6000. Definitions. (Partial List Only)

"Agricultural commodity," for the purpose of this chapter, means an unprocessed product of farms, ranches, nurseries and forests (except livestock, poultry and fish). Agricultural commodities include fruits and vegetables; grains, such as wheat, barley, oats, rye, triticale, rice, corn and sorghum; legumes, such as field beans and peas; animal feed and forage crops; rangeland and pasture; seed crops; fiber crops such as cotton; oil crops, such as safflower, sunflower, corn and cottonseed; trees grown for lumber and wood products; nursery stock grown commercially; Christmas trees; ornamentals and cut flowers; and turf grown commercially for sod.

"Air-purifying respirator" means a respirator with an air-purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the-purifying element.

"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.

"Chemical resistant" means a material that allows no measurable movement of the pesticide through it during use.

"Commercial applicator" means a person who uses or supervises the use of a pesticide for any purpose or on any property other than as provided by the definition of private applicator.

"Confidential reader" is a person chosen by an employee required to wear a respirator to read to him/her the Medical Evaluation Questionnaire required under section 6739 in a language primarily understood by the employee. This includes, but is not limited to, a coworker, family member, friend, or an independent translator provided by the employer. The employer or the employer's direct agent, such as a supervisor, manager, foreman, or secretary, are not included and are prohibited from being confidential readers.

"Conflict with labeling" means any deviation from instructions, requirements or prohibitions of pesticide product labeling concerning storage, handling or use except:

- (a) A decrease in dosage rate per unit treated;
- (b) A decrease in the concentration of the mixture applied;
- (c) Application at a frequency less than specified;
- (d) Use to control a target pest not listed, provided the application is to a commodity/site that is listed and the use of the product against the unnamed target pest is not expressly prohibited;
- (e) Employing a method of application not expressly prohibited, provided other directions are followed;
- (f) Mixing with another pesticide or with a fertilizer, unless such mixing is expressly prohibited;
- (g) An increase in the concentration of the mixture applied, provided it corresponds with the current published UC Pest Management Guidelines of the University of California, which are available from their Statewide Integrated Pest Management Program, 2801 Second Street, Davis, California 95681-7774, or on-line at <http://www.ipm.ucdavis.edu>; or
- (h) The use of personal protective equipment consistent with the exceptions and substitutions in section 6738.4.

"Continuous monitoring" means the measurement of the air concentration of a specific pesticide on an uninterrupted, real-time basis by instrumental methods.

"Coverall" means a one- or two-piece garment of closely woven fabric or equivalent that covers the entire body, except the head, hands, and feet, and must be provided by the employer as personal protective equipment. Coverall differs from, and should not be confused with, work clothing that can be required to be provided by the employee.

"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.

"Enclosed cab" means a chemical resistant barrier that completely surrounds the occupant(s) of the cab and prevents dermal contact with pesticides being applied outside of the cab.

"Enclosed space" means a space enclosed, entirely or in part, with a nonporous covering of sufficient size to permit entry, and is used in the commercial or research production of an agricultural plant commodity. This includes greenhouses, polyhouses, mushroom houses, hoop houses, and similar structures.

"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.

"Filter or air purifying element" means a component used in respirators to remove solid or liquid aerosols from the inspired air.

"Filtering facepiece (dust mask)" means a negative pressure particulate respirator with a filter as an integral part of the facepiece or with the entire facepiece composed of the filtering medium.

"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.

"Immediately dangerous to life or health (IDLH)" means an atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere.

"Industrial use" means use for or in a manufacturing, mining or chemical process; or use in the operation of factories, processing plants, and similar sites.

"Institutional use" means use within the confines of, or on property necessary for the operation of, buildings such as hospitals, schools, libraries, auditoriums and office complexes.

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

"Organophosphates" means organophosphorus esters which inhibit cholinesterase.

"Person" means any individual, partnership, association, corporation, business entity or organized group of persons whether incorporated or not.

"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 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.

"Physician or other licensed health care professional (PLHCP)" means an individual whose legally permitted scope of practice allows him or her to independently provide, or be delegated the responsibility to provide, some or all of the health care services required by these regulations.

"Private applicator" means:

(a) an individual who uses or supervises the use of a pesticide for the purpose of producing an agricultural commodity as defined by Title 40 Code of Federal Regulations, section 171.2(a)(5) (July 1, 2013) on property owned, leased, or rented by him/her or his/her employer; or

(b) a householder who uses or supervises the use of a pesticide, outside the confines of a residential dwelling for the purpose of controlling ornamental, plant or turf pests on residential property owned, leased, or rented by that householder.

"Qualified applicator certificate holder" means a person who has qualified by examination in one or more pest control categories to supervise pesticide applications. However, such qualification shall not entitle the holder to supervise the operations of a pest control business licensed pursuant to section 11701 of the Food and Agricultural Code, except as provided in section 11704.

"Qualified applicator licensee" means a person who has qualified by examination in one or more pest control categories to supervise the pesticide applications made by a pest control business licensed pursuant to sections 11701 to 11709, inclusive, of the Food and Agricultural Code, and who is responsible for safe and legal operations under such license.

"Qualitative fit test (QLFT)" means a pass/fail fit test to assess the adequacy of respirator fit that relies on the individual's response to the test agent.

"Quantitative fit test (QNFT)" means an assessment of the adequacy of respirator fit by numerically measuring the amount of leakage into the respirator.

"Regularly handle" means that the employee is handling pesticides during any part of the day for more than six calendar days in any 30 consecutive day qualifying period beginning on the first day of handling. Any day spent mixing or loading pesticides while exclusively using a closed system or mixing only pesticides sealed in water-soluble packets is not included for any employee who has a baseline blood cholinesterase level established pursuant to section 6728(c)(1).

"Respirator program administrator" is a person who is qualified by appropriate training or experience that is commensurate with the complexity of the respiratory protection program, and demonstrates knowledge necessary to administer a respiratory protection program. Such training or experience includes, but is not limited to, reading and understanding either the American National Standard for Respiratory Protection Publication (ANSI Z88.2), or the U.S. Department of Labor's "Small Entity Compliance Guide for the Revised Respiratory Protection Standard"; or taken specific course work on developing a respiratory protection program from a college or a respirator manufacturer's authorized representative; or is an American Board of Industrial Hygiene Certified Industrial Hygienist.

"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.

"Spot treatment" means an application to limited areas that will not exceed two square feet on which pests are likely to occur or have been located during the process of monitoring or inspection.

"Substantial drift" means the quantity of pesticide outside of the area treated is greater than that which would have resulted had the applicator used due care. This definition is applicable to section 12972 of the Food and Agricultural Code and section 6614 of Title 3, California Code of Regulations.

"Time specific" means a pesticide permit that specifies the date the intended application is to commence or permit with a notice of intent requirement. The pesticide use may commence within four days following such date if delays are caused by uncontrollable conditions such as adverse weather or unavailability of equipment. The commissioner shall require a notice of intent from either the grower, the grower's authorized representative, or the pest control business when necessary to make the permit time and site specific.

"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.

Chapter 3. Pest Control Operations

Subchapter 2. Work Requirements

Article 1. Pest Control Operations Generally

6600. General Standards of Care.

Each person performing pest control shall:

- (a) Use only pest control equipment which is in good repair and safe to operate.
- (b) Perform all pest control in a careful and effective manner.
- (c) Use only methods and equipment suitable to insure proper application of pesticides.
- (d) Perform all pest control under climatic conditions suitable to insure proper application of pesticides.
- (e) Exercise reasonable precautions to avoid contamination of the environment.

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.

6602. Availability of Labeling.

A copy of the registered labeling that allows the manner in which the pesticide is being used shall be available at each use site.

6612. Age.

No person shall permit a minor under 18 years of age to mix or load a pesticide which, in any use situation, use of any of the following is required by labeling or regulation:

- (a) air supplied respiratory protection,
- (b) closed systems, or
- (c) full-body, chemical-resistant protective clothing.

6614. Protection of Persons, Animals, and Property.

(a) An applicator prior to and while applying a pesticide shall evaluate the equipment to be used, meteorological conditions, the property to be treated, and surrounding properties to determine the likelihood of harm or damage.

(b) Notwithstanding that substantial drift would be prevented, no pesticide application shall be made or continued when:

- (1) There is a reasonable possibility of contamination of the bodies or clothing of persons not involved in the application process;
- (2) There is a reasonable possibility of damage to nontarget crops, animals, or other public or private property; or
- (3) There is a reasonable possibility of contamination of nontarget public or private property, including the creation of a health hazard, preventing normal use of such property. In determining a health hazard, the amount and toxicity of the pesticide, the type and uses of the property and related factors shall be considered.

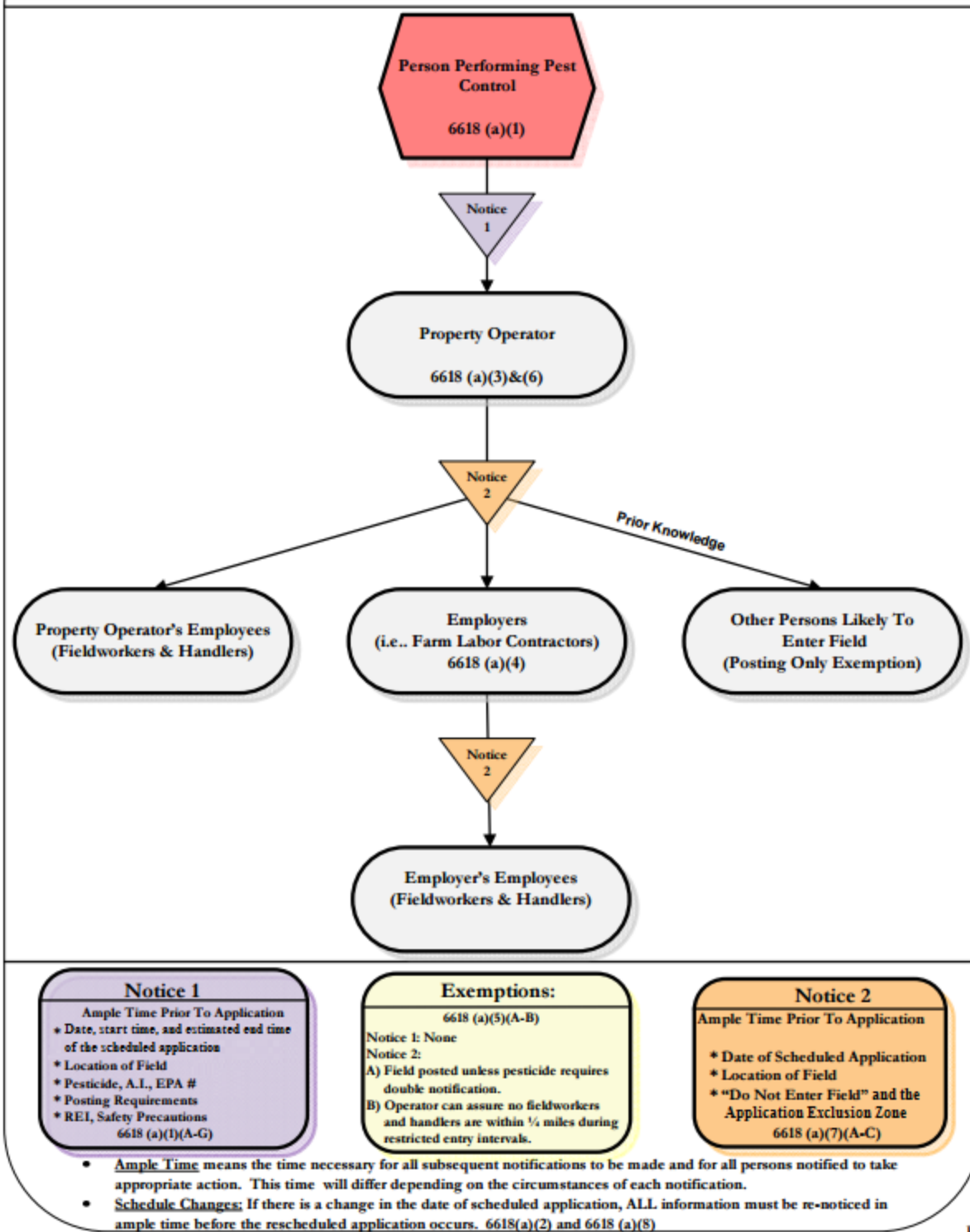
6616. Consent to Apply.

No person shall directly discharge a pesticide onto a property without the consent of the owner or operator of the property.

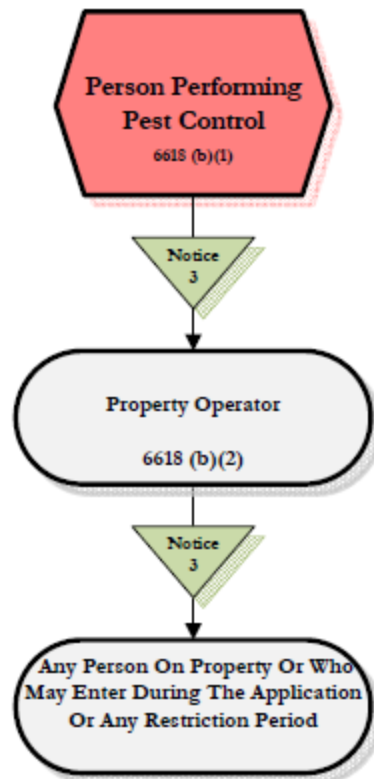
6618. Notice of Applications.

For CCR 6618 double notification is defined as the pesticide label requiring notification orally and in writing. 6618(a) are requirements for Production Agriculture. 6618(b) is for applications other than Production Agriculture.

Scheduled Application - Production Agriculture
3CCR §6618 (a)



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.

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.

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.

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.

6704. Application of Labor Code.

In order to insure that rights granted to California employees by Chapter 1 of Division 5 of the California Labor Code are adequately provided to agricultural employees, including employee rights (1) to file confidential complaints alleging unsafe work conditions, (2) to have complaints promptly investigated, (3) to talk to inspectors or compliance officers, and to point out hazards during the inspection process, (4) to be notified of any relevant job hazard, and (5) to not be subject to any retaliation or discrimination because such employee has filed any complaint regarding an unsafe work condition, the director, commissioners, and the Department of Industrial Relations shall cooperate in fully implementing any master agreements entered into between these parties which are designed to insure enforcement of employees' rights as well as any inspection protocols adopted pursuant to such master agreements.

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.

Article 2. General Safety Requirements

6720. Safety of Employed Persons.

(a) The requirements of this article shall be complied with by the employer for the safety of employees handling pesticides.

(b) When only vertebrate pest control baits, solid fumigants (including, but not limited to, aluminum phosphide, magnesium phosphide, and smoke cartridges), insect monitoring traps or non-insecticidal lures are handled, the employer is exempt from the requirements of sections 6730 (Working Alone), and 6732 (Change Area), and 6738.1(e).

(c) When antimicrobial agents, used only as sanitizers, disinfectants, or medical sterilants, or pool and spa chemicals are handled, the employer is exempt from complying with the provisions of Title 3, California Code of Regulations sections specified below, provided the employer instead complies with any applicable requirements in the following corresponding provisions of Title 8, California Code of Regulations.

<i>Title 3, CCR</i>	<i>Title 8, CCR</i>
6700	3200 and 3202
6702	3200 and 3203
6720	As indicated in this Subsection
6723	3203, 3204, and 5194
6724	3203 and 5194
6726	3400
6732	3367
6734	3363 and 3366
6738-6738.4	3380 through 3385
6739	5144
6740	3317
6742	5141
6744	3203 and 5194

(d) The provisions of sections 6726, 6734, 6738.1-6738.4, 6739, 6766, 6768, and 6770 do not apply to licensed agricultural pest control advisers and registered professional foresters while performing, crop adviser tasks, after the application is completed, including field-checking or scouting, making observations of the well-being of the plants, or taking samples provided:

- (1) They have been trained equivalent to the requirements of section 6724 (licensed agricultural pest control advisers are considered trained for the purposes of this exception); and
- (2) The licensed agricultural pest control adviser or registered professional forester responsible has made specific determinations regarding appropriate personal protective equipment, needed decontamination facilities, and how to safely conduct crop adviser tasks.

(e) The provisions of this subchapter do not apply to employees handling consumer products packaged for distribution to, and use by, the general public, provided that employee use of the product is not significantly greater than the typical consumer use of the product.

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.

6723. Hazard Communication for Pesticide Handlers.

(a) Before employees are allowed to handle pesticides, the employer shall display a copy of a completed written Hazard Communication Information for Employees Handling Pesticides in Agricultural Settings (Pesticide Safety Information Series leaflet A-8) or Hazard Communication Information for Employees Handling Pesticides in Noncrop Settings (Pesticide Safety Information Series leaflet N-8), as applicable, at a central location in the workplace. Upon request, the employer shall read to the requesting employee, in a language understandable to that employee, Pesticide Information Series leaflet A-8/N-8. Pesticide Information Series Leaflet A-8/N-8 shall be written by the Department of Pesticide Regulation in English and Spanish. Pesticide Information Series leaflets are available from the Department.

(b) The employer shall maintain, at a central location at the workplace accessible to employees who handle pesticides, the following:

- (1) pesticide use records as specified in section 6624 (b), (c), and (e) for pesticides that have been handled by his or her employees;
- (2) copies of available Pesticide Safety Information Series leaflets which are applicable to the pesticides and handling activities listed in the pesticide use records referred to in subsection (b)(1).
 - (A) The A-8 must also be posted at all permanent decontamination facilities and decontamination facilities servicing 11 or more handlers.
 - (B) Any changes to the A-8 relating to the name, address, or telephone number of the facility providing emergency medical care must be updated within 24 hours of the change.
- (3) a Safety Data Sheets (SDS), as specified by 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 employer shall:
 - (A) within seven 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 employer. If the employer has made written inquiry within the last 12 months as to whether the pesticide is subject to the requirement for a SDS or the employer has made a written inquiry within the last 6 months requesting new, revised or later information on the SDS, the employer 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 employer is not precluded from obtaining and providing the SDS utilizing other more expedient methods in lieu of those provided in this subsection.

(c) The employer shall inform employees, before they are allowed to handle pesticides and at least annually thereafter, of the location and availability of the records and other documents listed in this section or relating to employee training, monitoring, and potential exposure. If the location of the records and other documents changes, an employer shall promptly inform his or her employees of the new location.

(d) The employer shall provide, upon request of his or her employee, employee representative, or employee's physician, access to any records or other documents required to be maintained pursuant to 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 contain the following in writing:

- (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).

6723.1. Application-Specific Information For Handlers.

(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 employees are employed to handle pesticides:

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

(b) The information shall be displayed within 24 hours of the completion of an application and include all applications that have been made to any treated field on the agricultural establishment within 1/4 mile of where employees will be working. Once displayed, the information shall remain displayed until the area no longer meets the definition of a treated field or handler employees will no longer be on the establishment, whichever occurs earlier.

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

(d) 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.

6724. Handler Training.

The employer shall assure that employees who handle pesticides have been trained pursuant to the requirements of this section and that all other provisions of this section have been complied with for employees who handle pesticides.

(a) The employer shall have a written training program. The training program shall describe the materials (e.g., study guides, pamphlets, pesticide product labeling, Pesticide Safety Information Series leaflets, Safety Data Sheets, slides, video tapes) and information that will be provided and used to train his or her employees and identify the person or firm that will provide the training. The training program shall address each of the subjects specified in subsection (b) that is applicable to the specific pesticide handling situation. The employer shall maintain a copy of the training program while in use and for two years after use, at a central location at the workplace.

(b) The training shall cover, for each pesticide or chemically similar group of pesticides, to be used:

- (1) Format and meaning of information, such as precautionary statements about human health hazards, contained in pesticide product labeling;
- (2) Hazards of pesticides, including acute and chronic effects, delayed effects, and sensitization, as identified in pesticide product labeling, Safety Data Sheets, or Pesticide Safety Information Series leaflets;
- (3) Routes by which pesticides can enter the body;
- (4) Signs and symptoms of overexposure;
- (5) Emergency first aid for pesticide overexposure;

- (6) How to obtain emergency medical care;
- (7) Routine and emergency decontamination procedures, including spill clean up and the need to thoroughly shower with soap and warm water after the exposure period;
- (8) Need for, limitations, appropriate use, and sanitation, of, any required personal protective equipment;
- (9) Prevention, recognition, and first aid for heat-related illness in accordance with Title 8 of the California Code of Regulations, section 3395;
- (10) Safety requirements and procedures, including engineering controls (such as closed systems and enclosed cabs) for handling, transporting, storing, and disposing of pesticides;
- (11) Environmental concerns such as drift, runoff, and wildlife hazards;
- (12) Warnings about taking pesticides or pesticide containers home;
- (13) Requirements of this chapter and chapter 4 relating to pesticide safety, Safety Data Sheets, and Pesticide Safety Information Series leaflets;
- (14) The purposes and requirements for medical supervision if organophosphate or carbamate pesticides with the signal word "DANGER" or "WARNING" on the labeling are mixed, loaded, or applied for the commercial or research production of an agricultural plant commodity;
- (15) The location of the written Hazard Communication Information For Employees Handling Pesticides (Pesticide Safety Information Series leaflet A-8), other Pesticide Safety Information Series leaflets, and Safety Data Sheets;
- (16) The employee's 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 employee representative to receive information about pesticides to which he or she may be exposed; and
 - (C) To be protected against retaliatory action due to the exercise of any of his or her rights.
- (c) The training shall be in a manner the employee can understand, be conducted pursuant to the written training program, and include response to questions. Training for employees handling pesticides used for the commercial or research production of an agricultural commodity must be at a location reasonably free from distraction and trainers must be present throughout the entire presentation.
- (d) Training shall be completed before the employee is allowed to handle pesticides, continually updated to cover any new pesticides that will be handled, and repeated at least annually thereafter. Initial training may be waived if the employee submits a record showing that training meeting the requirements of this section and covering the pesticides and use situations applicable to the new employment situation was received within the last year. A certified applicator is considered trained for the purposes of this section.
- (e) The date and extent of initial and annually required training given to the employee and the job to be assigned shall be recorded. This record shall be verified by the employee's signature and retained by the employer for two years at a central location at the workplace accessible to employees. For an employee handling pesticides used for the commercial or research production of an agricultural commodity, the record must also include employee's printed name; the title(s) and source(s) of the training materials used; employer's name; and trainer's name and qualifications as specified in (f).
- (f) The person conducting the training for employees who will be handling pesticides for the commercial or research production of an agricultural plant commodity shall be qualified as one of the following:
 - (1) A California certified commercial applicator;
 - (2) A California certified private applicator;
 - (3) A person holding a valid County Biologist License in Pesticide Regulation or Investigation and Environmental Monitoring issued by the Department of Food and Agriculture;
 - (4) A farm advisor employed by the University of California Extension Office;
 - (5) A person who has completed an "instructor trainer" program presented by one of the following:
 - (A) the University of California, Integrated Pest Management Program or
 - (B) other instructor training program approved by the Director;
 - (6) A California licensed Agricultural Pest Control Adviser;
 - (7) A California Registered Professional Forester; or
 - (8) Other trainer qualification approved by the Director.

6726. Emergency Medical Care.

- (a) Emergency medical care for employees handling pesticides shall be planned for in advance. The employer shall locate a facility where emergency medical care is available for employees who will be handling pesticides.
- (b) Employees shall be informed of the name and location of a facility where emergency medical care is available. The employer shall post in a prominent place at the work site, or work vehicle if there is no designated work site, the name, address and telephone number of a facility able to provide emergency medical care whenever employees will be handling pesticides and, if the identified facility is not reasonably accessible from that work location, procedures to be followed to obtain emergency medical care.
- (c) When there is 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 suspected of being exposed to a pesticide used in the commercial or research 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 employee 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.

6728. Medical Supervision.

- (a) Whenever an employee mixes, loads, or applies a pesticide with the signal word "DANGER" or "WARNING" that contains an organophosphate or carbamate, for the commercial or research production of an agricultural plant commodity, the employer shall maintain use records that identify the employee, the name of the pesticide, and the date of use. 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.
- (b) Each employer who has an employee who regularly handles pesticides specified in (a) shall have a written agreement signed by a physician, that includes the names and addresses of both the physician providing the medical supervision and the employer responsible for the employees, stating that the physician has agreed to provide medical supervision and that the physician possesses a copy of, and is aware of the contents of the document "Medical Supervision of Pesticide Workers-Guidelines for Physicians" (available from the Office of Environmental Health Hazard Assessment). A copy of this agreement shall be given to the commissioner by the employer no later than when an employee begins to regularly handle pesticides specified in (a).
- (c) The employer's responsibilities for medical supervision for employees regularly handling pesticides specified in (a) shall include the following:
 - (1) All covered employees shall have baseline red cell and plasma cholinesterase determinations. Baseline values shall be verified every two years. For new employees, the medical supervisor may accept previously established baseline values if they are obtained in accordance with these regulations by the same laboratory methodology and are acceptable to the laboratory which will analyze the new employee's blood samples.
 - (2)(A) The employer shall ensure that each employee, not previously under medical supervision associated with that employer, has red cell and plasma cholinesterase determinations within three working days after the conclusion of each 30-day period in which pesticides specified in (a) are regularly handled.
 - (B) After three tests at 30-day intervals, further periodic monitoring shall be at intervals specified in writing by the medical supervisor except for verification of baseline as specified in (1).
 - (C) Where the medical supervisor has made no written recommendation for continued periodic monitoring, the testing interval shall be 60 days.
 - (3) The employer shall keep a record of the agreement to provide medical supervision, use records, all recommendations received from the medical supervisor, and all results of cholinesterase tests required to be made on his/her employees by this Section or by the medical supervisor. Records required by this

Section shall be maintained for three years and shall be available for inspection by the employee, the Director, commissioner, county health official, or state health official.

(4) The employer shall follow the recommendations of the medical supervisor concerning matters of occupational health.

(5) The employer shall post the name, address, and telephone number of the medical supervisor in a prominent place at the locale where the employee usually starts the workday; or if there is no locale where the employee usually starts the workday, at each worksite; or in each work vehicle.

(d) The employer shall investigate the work practices of any employee whose red cell or plasma cholinesterase levels fall below 80 percent of the baseline. The investigation of work practices shall include a review of the safety equipment used and its condition; and the employee's work practices which included employee sanitation, pesticide handling procedures, and equipment usage. The employer shall maintain a written record of the findings, any changes in equipment or procedures, and any recommendations made to the employee.

(e) The employer shall remove an employee from exposure to organophosphate or carbamate pesticides if the employee's plasma cholinesterase level falls to 60 percent or less of baseline, or if red cell cholinesterase falls to 70 percent or less of baseline. The employee shall be removed from further exposure until cholinesterase values return to 80 percent or more of their respective baseline values. The employer shall maintain written records of the dates of removal and the dates when employees are returned to exposure.

(f) To meet the requirements of these regulations, acetylcholinesterase (also known as red blood cell cholinesterase) and butyrylcholinesterase (also known as plasma or serum cholinesterase or pseudocholinesterase) tests ordered by a medical supervisor for occupational health surveillance shall be performed by a clinical laboratory currently approved by the State Department of Health Services to perform these tests. By January 1, 2000, tests shall be performed according to the procedures outlined below. If tests cannot be performed according to the following procedures, the conversion procedure outlined in 6728 (f)(8) shall be performed.

(1) Using personnel and procedures acceptable to the Department of Health Services (Business and Professions Code sections 1242,1243,1246,1269,2070; Health and Safety Code sections 120580, 1607), blood collection and storage shall be done according to the following conditions:

(A) Blood samples shall be kept in ice or at a temperature of 4° C until time of assay. If the sample is centrifuged to remove the erythrocytes from the plasma, the plasma shall be stored frozen at a temperature of minus 20° C until the assay is performed. If possible, the assay shall be performed within 24 hours after blood collection. Time of sample collection, analysis, and storage conditions shall be specified on the report.

(B) Ethylenediaminetetraacetic acid (EDTA) or heparin shall be used as an anticoagulant in a standard vacutainer tube.

(2) The reagents and equipment shall conform to the following conditions:

(A) A spectrophotometer at a wavelength between 405 and 425 nanometers shall be used.

(B) The assay shall be performed at a temperature of 25° C.

(C) The following conditions regarding the buffer/chromogen shall apply:

1. A sodium phosphate buffer shall be used at a concentration of 0.1 M adjusted to a pH of 8.0 with a pH meter calibrated at both 7.0 and 10.0.

2. Dithiobisnitrobenzoic acid (DTNB) at a stock concentration of 9.7 mM in 0.1 M sodium phosphate buffer pH 7.0 shall be used.

(D) The substrate acetylthiocholine iodide shall be used at a stock concentration of 10.1 mM in 0.1 M sodium phosphate buffer pH 8.0.

(E) The butyrylcholinesterase inhibitor quinidine hydrochloride monohydrate shall be used at a stock concentration of 6 mM in distilled deionized water.

(3) The acetylcholinesterase enzyme assay shall be performed within 15 minutes of preparation and the procedure for performing the assay shall be as follows:

(A) Measure 0.2 mL whole blood and add into a 1.8 mL solution of deionized distilled water; mix thoroughly and keep the solution on ice.

- (B) To 2.5 mL of the sodium phosphate buffer, add 0.02 mL of the blood solution, 0.1 mL of DTNB (0.32 mM final concentration) and 0.1 mL of quinidine (0.2 mM final concentration); mix thoroughly and allow to sit for 5 minutes.
- (C) Add 0.3 mL acetylthiocholine iodide (1.0 mM final concentration) into the buffer/sample solution and mix thoroughly.
- (D) Measure absorbance over the linear portion of the enzyme activity curve in the spectrophotometer.
- (4) The procedure for performing butyrylcholinesterase enzyme assay determination shall be as follows:
 - (A) Physical separation of plasma or serum shall be performed.
 - (B) If samples are frozen, they shall be thawed at room temperature to assure homogeneity of the sample.
 - (C) To 2.6 mL of the sodium phosphate buffer, add 0.02 mL of the plasma or serum and 0.1 mL of DTNB (0.32 mM final concentration), mix thoroughly and allow to sit for 5 minutes.
 - (D) Add 0.3 mL acetylthiocholine iodide (1.0 mM final concentration) into the buffer/sample solution and mix thoroughly.
 - (E) Measure absorbance over the linear portion of the enzyme activity curve in the spectrophotometer.
- (5) A Buffer Blank containing 2.6 mL of sodium phosphate buffer, 0.3 mL of acetylthiocholine (1.0 mM final concentration), and 0.1 mL of DTNB (0.32 mM final concentration) and 0.02 mL of distilled deionized water shall be run with every batch of assays.
- (6) Reporting units shall be in International Units per milliliter of sample (IU/mL).
- (7) Baseline and follow up assays specified in 6728 (c)(2)(A) shall be conducted by the same laboratory method.
- (8) If an assay different from that described above is used, the method shall be shown comparable with the foregoing conditions and a conversion equation prepared. Results shall be reported in International Units per mL on both the original and the converted scale. The conditions to establish comparability shall be as described below.
 - (A) Using personnel and procedures acceptable to the Department of Health Services (Business and Professions Code sections 1242,1243,1246,1269,2070; Health and Safety Code sections 120580, 1607), blood samples shall be collected from at least ten subjects.
 - (B) Blood from each subject shall be tested by serial dilution as specified in "Comparison of Acetylcholinesterase Assays Run under Conditions Specified by the Standard Ellman Method and Conditions Specified by a Commercial Cholinesterase Reagent Kit." HS-1752, July 30, 1998, Department of Pesticide Regulation, Worker Health and Safety Branch.
 - (C) Test dilutions shall be made at 100% and 50% of enzyme activity.
 - (D) Triplicate samples shall be run by both the reference and the alternative methods.
 - (E) Pearson product-moment correlation coefficient squared (r^2) shall be at least 0.9 between results of the alternative and reference methods.

6730. Working Alone.

- (a) An employee mixing, loading, or applying a pesticide in toxicity category one for production of an agricultural commodity may not work alone during daylight hours unless personal, radio, or telephone contact is made to a responsible adult at intervals not exceeding two hours.
- (b) An employee mixing, loading, or applying a pesticide in toxicity category one for production of an agricultural commodity may not work alone during nighttime hours unless personal, radio, or telephone contact is made to a responsible adult at intervals not exceeding one hour.
- (c) A pilot, mixer-loader, and/or flagger team shall be considered as working together. In the case of two ground applicators working in the same field, no additional person is necessary if they can see each other or each other's application vehicles.

6732. Change Area.

For any employee who regularly handles pesticides with the signal word "DANGER" or "WARNING", and for all employees who handle any pesticides for the commercial or research production of an agricultural plant commodity, the employer shall assure that there is, at the place where employees end their exposure period and remove their personal protective equipment, an area where employees may change clothes and wash themselves. Clean towels, soap, and sufficient water shall be available to allow for thorough washing. For employees who handle pesticides for the commercial or research production of an agricultural plant commodity, the change area must meet the requirements specified in section 6734(a), (b)(1), and (b)(2). The employer shall provide a clean, pesticide-free place where employees may store any personal clothing not in use while at work handling pesticides.

6734. Handler Decontamination Facilities.

(a) The employer shall assure that sufficient water, soap and single use towels for routine washing of hands and face and for emergency eye flushing and washing of the entire body are available for employees as specified in this Section.

(1) This 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.

(2) One clean change of coveralls shall be available at each decontamination site.

(b) For employees handling pesticides used in the commercial or research production of an agricultural commodity, the employer shall assure:

(1) The water required to be available in (a) is at least three gallons per handler at the beginning of each handler's work day.

(2) Hand sanitizing gels and liquids or wet towelettes are not used to meet the requirement for soap and single use towels as specified in (a).

(3) The decontamination site is at the mixing/loading site and not more than 1/4 mile (or at the nearest point of vehicular access) from other handlers, except that the decontamination site for pilots may be at the loading site regardless of distance from where the pilot is working. The decontamination site shall not be in an area being treated or under a restricted entry interval unless:

(A) The handlers for whom the site is provided are working in that area being treated or under a restricted entry interval;

(B) The soap, towels, and extra change of coveralls are in an enclosed container; and

(C) The water is running tap water or enclosed in a container.

(4) Employees are notified of the location of the decontamination site prior to handling pesticides.

(5) One pint of water for emergency eye flushing is immediately available to each employee (carried by the handler or on the vehicle or aircraft the handler is using) if the pesticide product labeling requires protective eyewear. When the handler is mixing or loading a pesticide then only the requirements in (6) apply.

(6) At the mixing/loading site there is immediate employee access to at least one system capable of delivering gently running water at a rate of least 0.4 gallons per minute for at least 15 minutes, or at least six gallons of water in containers suitable for providing a gentle eye-flush for about 15 minutes for emergency eye-flushing, if the product labeling requires protective eyewear or a closed mixing system is used.

(c) The decontamination site for employees handling pesticides for uses other than the commercial or research production of an agricultural plant commodity shall be within 100 feet of the mixing/loading site when they are handling pesticides with the signal word "DANGER" or "WARNING" on the label.

6738. Personal Protective Equipment Care.

(a) The employer shall:

(1) Provide all personal protective equipment required by pesticide product labeling, regulation, and restricted material permit condition, provide for its daily inspection and cleaning (according to pesticide labeling instructions or, absent any instructions, washed in detergent and hot water), and repair or replace any worn, damaged, or heavily contaminated personal protective equipment. Leather gloves

used to apply only aluminum phosphide or magnesium phosphide pesticides and which have been aerated for 12 hours or more are considered cleaned.

(2) Assure that all clean personal protective equipment, when not in use, is kept separate from personal clothing and in a clean and pesticide-free, specifically designated place.

(3) Assure that personal protective equipment is used correctly for its intended purpose.

(4) Keep and wash potentially contaminated personal protective equipment separately from other clothing or laundry.

(5) Assure that all clean personal protective equipment is either dried thoroughly before being stored or is put in a well-ventilated place to dry.

(6) Assure that personal protective equipment remains the property of the employer and that pesticide handlers are not allowed or directed to take potentially contaminated personal protective equipment into their homes. However, employees whose work day does not involve return to the employer's headquarters shall remove and store potentially contaminated coveralls in a sealable container outside of their own living quarters for later return to the employer.

(7) Assure that any person or firm assigned or hired to clean or repair potentially contaminated personal protective equipment is protected and informed in accordance with the requirements of section 6744.

6738.1. Personal Protective Equipment Use.

Personal protective equipment may be required by pesticide product labeling, regulations, or restricted material permit conditions. Except as provided in section 6738.4, the employer shall assure that:

(a) Employees wear protective eyewear as specified in section 6738.2 when employees are mixing, loading, or applying pesticides by hand or ground rig, and when exposed to application, mixing, or loading equipment (such as but not limited to hoppers, tanks, or lines) that contains or is contaminated with pesticide.

(b) Employees wear chemical-resistant gloves as specified in section 6738.3 when employees are mixing, loading, or applying pesticides by hand or ground rig, or when exposed to application equipment (such as but not limited to aircraft, hoppers, tanks, or lines) that contains or is contaminated with pesticide.

(c) Employees wear chemical-resistant footwear when required. Unless specified on the pesticide product labeling, chemical-resistant shoes, chemical-resistant boots, or chemical-resistant coverings worn over shoes or boots meet this requirement.

(d) Employees wear a chemical-resistant hood or a wide-brim chemical-resistant hat when chemical-resistant headgear is required.

(e) Employees wear coveralls whenever they handle pesticides with the signal word "DANGER" or "WARNING" except when using fumigants unless the pesticide product labeling expressly requires the use of coveralls.

(f) Employees wear a chemical-resistant apron when required. The apron must cover the front of the body from mid-chest to the knees.

(g) Employees wear a chemical-resistant suit that covers the torso, head, arms, and legs when a full-body chemical-resistant suit is required.

(1) If the ambient temperature exceeds 80°F during daylight hours or 85°F during nighttime hours (sunset to sunrise), employees required to wear a chemical-resistant suit must not handle the pesticide(s) unless the pesticide is handled pursuant to subsections 6738.4(c) or (e); or employees use cooled chemical-resistant suits, or engineering controls, to reduce temperatures to an effective working environment of 80°F during daylight hours or 85°F during nighttime hours (sunset to sunrise).

6738.2. Selection of Protective Eyewear.

The employer shall assure that appropriate protective eyewear, providing brow and temple protection that conforms to the curvature of the face and side protection to the eyes, is worn when its use is required.

(a) Whenever protective eyewear is required, and the labeling does not identify a specific type, one of the following types of eyewear or eye protective devices bearing evidence of compliance with American National Standard for Occupational and Education Personal Eye and Face Protection Devices ANSI Z87.1 - 2010 must be worn:

(1) Safety glasses that provide front, brow, and temple protection.

(2) Goggles.

(3) Face shield.

(b) If the pesticide labeling identifies a specific type of protective eyewear, that specified eyewear or more protective eyewear, must be worn.

(c) Use of a respirator with a full-face mask approved by the National Institute of Occupational Safety and Health (NIOSH) will satisfy the protective eyewear requirement, unless specifically prohibited by the pesticide labeling.

(d) The wearing of prescription lenses must not interfere with the fit and function of the protective eyewear and the protective eyewear must not interfere with the fit and function of prescription lenses.

6738.3. Selection of Gloves.

The employer shall assure that appropriate chemical-resistant gloves are worn by employees when their use is required.

(a) If the barrier material is specified by a category on the product labeling, the required glove material must be:

(1) Category A: barrier laminate, butyl rubber, nitrile rubber, neoprene, natural rubber, polyethylene, polyvinyl chloride (PVC), or Viton®.

(2) Category B: barrier laminate or butyl rubber.

(3) Category C: barrier laminate, butyl rubber, nitrile rubber, neoprene, PVC, or Viton®.

(4) Category D: barrier laminate or butyl rubber.

(5) Category E: barrier laminate, nitrile rubber, neoprene, or Viton®.

(6) Category F: barrier laminate, butyl rubber, nitrile rubber, or Viton®.

(7) Category G or H: barrier laminate, or Viton®.

(b) If use of chemical-resistant gloves is required by pesticide labeling without specification of a barrier material or category, the barrier material may be any cited in (a).

(c) All barrier materials must be 14 mils or thicker except:

(1) barrier laminate and polyethylene materials.

(2) when chemical-resistant gloves are used to make fine adjustments to equipment or other activities that require high dexterity and motor control skill the gloves must be made of an appropriate barrier material, as specified in (a) and (b) above, and only be used for a maximum of 15 minutes. Such gloves may only be used once for such specific tasks and must be discarded and not reused after the task is accomplished.

(d) Separable glove liners made of cotton or other absorbent materials may be worn under chemical-resistant gloves unless expressly prohibited by pesticide product labeling. The glove liners must not extend beyond the end of the chemical-resistant glove. Glove liners must be disposed of at the end of the workday, or immediately if any portion of the liner comes in contact with pesticide during the workday.

(1) Flocked gloves or those with other types of non-separable liners are prohibited.

(e) Leather gloves may be worn over chemical-resistant gloves when required by working conditions. Once leather gloves have been used for this purpose, they must not be worn without being worn over chemical-resistant gloves.

(f) If chemical-resistant gloves are brought into the cockpit of an aircraft that has been used to apply pesticides, the gloves must be stored in an enclosed chemical-resistant container.

6738.4. Personal Protective Equipment Exemptions.

The following exceptions and substitutions to personal protective equipment required by pesticide product labeling or regulation are permitted. However, employers shall assure that all exempted personal protective equipment is present and available for use at the worksite and stored in a chemical-resistant container, such as a plastic bag, even if the personal protective equipment's use is exempted by this section.

(a) Chemical-resistant gloves and protective eyewear are not required when:

(1) applying in an enclosed cab;

(2) using vehicle-mounted or towed equipment with spray nozzles that are located below the employee and directed downward;

- (3) applying vertebrate pest control baits using long-handled implements that avoid actual hand contact with the bait or potentially contaminated areas of equipment;
 - (4) working in situations where the handler has no liquid contact with a fumigant. The handler may wear gloves, unless expressly prohibited by pesticide product labeling; or
 - (5) using an application system approved by the Director that is engineered to provide a level of protection to the employee that is equivalent to, or better than, the required personal protective equipment;
- (b) Protective eyewear is not required when:
- (1) applying non-insecticidal lures or baiting insect monitoring traps;
 - (2) applying solid fumigants (including, but not limited to, aluminum phosphide, magnesium phosphide, and smoke cartridges) to vertebrate burrows; or,
 - (3) applying vertebrate pest control baits that are placed without being propelled from application equipment.
- (c) Protective eyewear, coveralls, chemical-resistant gloves, and a chemical-resistant apron may be worn instead of personal protective equipment required by pesticide product labeling when using a closed system to handle pesticide products with the signal word "DANGER" or "WARNING". This also applies when using a closed system to handle dry pesticide product formulations provided the requirements in section 6746(d) and (g) are met. For purposes of this subsection and subsection (d), persons mixing pesticides packaged in sealed and intact water-soluble packets are considered to be using a closed system.
- (d) Protective eyewear and work clothing may be worn instead of personal protective equipment required by pesticide product labeling when using a closed system to handle pesticide products with the signal word "CAUTION".
- (e) Work clothing may be worn instead of personal protective equipment, including when required by pesticide product labeling, when occupying an enclosed cab as defined in section 6000. If a filtering facepiece respirator (NIOSH approval number prefix TC-84A) or dust/mist filtering respirator is required by the pesticide product labeling, then no respirator is required to be worn inside the enclosed cab if the enclosed cab has a properly functioning air ventilation system that is used and maintained in accordance with the manufacturer's written operating instructions. If any other type of respirator is required by the pesticide labeling, then the respirator must be worn inside the enclosed cab during handling activities. If personal protective equipment is contaminated by use in a treated area, it shall be removed and stored in a chemical-resistant container, such as a plastic bag, before reentering the cab.
- (f) Work clothing may be worn instead of personal protective equipment, including when required by pesticide product labeling, when occupying an enclosed aircraft cockpit. Respiratory protection is not required to be worn when occupying an enclosed aircraft cockpit.
- (g) A helmet may be worn instead of chemical-resistant headgear when operating aircraft.
- (h) A helmet with the face shield lowered to cover the face may be worn instead of protective eyewear when operating an aircraft.

6739. Respiratory Protection.

(a) General Requirements.

- (1) The employer shall assure that:
 - (A) Employees use approved respiratory equipment in compliance with this regulation when handling pesticides where respirators are required by label, restricted material permit condition, or regulation.
- (2) In any workplace where respirators are required by label, restricted material permit condition, regulation, or employer, the employer shall establish a written respiratory protection program with work site-specific procedures. The program shall be updated as necessary to reflect those changes in workplace conditions that affect respirator use. The employer shall include in the program the following provisions, as applicable:
 - (A) Procedures for selecting respirators for use in the workplace;
 - (B) Medical evaluations of employees required to use respirators;
 - (C) Fit testing procedures for tight-fitting respirators;

- (D) Procedures for proper use of respirators in routine and reasonably foreseeable emergency situations;
- (E) Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respirators;
- (F) Procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators;
- (G) Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations, including Immediately Dangerous to Life or Health (IDLH) atmospheres, if appropriate;
- (H) Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; and
- (I) Procedures for evaluating the effectiveness of the program pursuant to subsections (n)(1) and (2).

1. The respirator program administrator shall administer the respiratory protection program in compliance with this section.

2. The employer shall provide respirators, training, and medical evaluations at no cost to the employee.

(b) Voluntary Respirator Provision.

- (1) An employer may provide respirators at the request of employees or permit employees to use their own respirators for use on a voluntary basis, if the employer determines that such respirator use will not in itself create a hazard.

- (2) If the employer determines that any voluntary respirator use is permissible, the employer shall provide the respirator users with the information contained in subsection (r) and display this information alongside the display of either the Hazard Communication Information for Employees Handling Pesticides in Agricultural Settings (Pesticide Safety Information Series leaflet A-8), or Hazard Communication Information for Employees Handling Pesticides in Noncrop Settings (Pesticide Safety Information Series leaflet N-8), at a central location in the workplace.

- (3) Under the employer-supplied voluntary respirator provision, the employer shall establish and implement the provisions of a written respiratory protection program necessary to ensure that any employee using a respirator voluntarily is medically able to use that respirator, and that the respirator is cleaned, stored, and maintained so that its use does not present a health hazard to the user. Employers are not required to include a written respiratory protection program for those employees whose only use of respirators involves the voluntary use of filtering facepieces (dust masks).

- (A) The employer shall provide respirators, training, and medical evaluations at no cost to the employee.

(c) Selection of Respirators. The employer shall select and provide an appropriate respirator certified by the National Institute for Occupational Safety and Health (NIOSH) based on the respiratory hazard(s) and relevant workplace and user factors to which the worker is exposed; and the appropriate pesticide label, restricted materials permit condition, regulation, or employer requirements, whichever is most protective.

- (1) The employer shall select respirators from a sufficient number of respirator models and sizes so that the respirator is acceptable to, and correctly fits, the user.

- (2) Fumigant-confining structures shall be considered IDLH atmosphere unless proven not to be by appropriate measuring devices as to that chemical. The employer shall provide the following respirators for employee use in IDLH atmospheres:

- (A) A full facepiece pressure demand self-contained breathing apparatus (SCBA) certified by NIOSH for a minimum service life of thirty minutes, or

- (B) A combination full facepiece pressure demand supplied-air respirator (SAR) with auxiliary self-contained air supply.

- (C) Respirators provided only for escape from IDLH atmospheres shall be NIOSH-certified for escape from the atmosphere in which they will be used.

(d) Medical Evaluation. The employer shall ensure a medical evaluation is conducted to determine the employee's ability to use a respirator before the employee is fit tested or required to use the respirator in the

workplace. The employer may discontinue an employee's medical evaluations when the employee is no longer required to use a respirator.

(1) Medical Evaluation Procedures.

(A) The employer shall identify a physician or other licensed health care professional (PLHCP) to perform medical evaluations using the medical questionnaire in subsection (q) or an equivalent form or an initial medical examination that obtains the same information as the medical questionnaire.

(B) The medical evaluation shall obtain the information requested by the questionnaire in subsection (q), sections 1 and 2.

(2) Follow-up Medical Examination.

(A) The employer shall ensure that a follow-up medical examination is provided when a PLHCP determines that there is a need for a follow-up medical examination.

(B) The follow-up medical examination shall include any medical tests, consultations, or diagnostic procedures that the PLHCP deems necessary to make a final determination.

(3) Administration of the Medical Questionnaire and Examinations.

(A) The medical questionnaire and examinations shall be administered confidentially during the employee's normal working hours or at a time and place convenient to the employee. The medical questionnaire shall be administered in a manner that ensures that the employee understands its content.

(B) The employer shall provide the employee with an opportunity to discuss the questionnaire and examination results with the PLHCP.

(4) Supplemental Information for the PLHCP.

(A) The employer shall provide the following information to the PLHCP before the PLHCP makes a recommendation concerning an employee's ability to use a respirator:

1. The type and weight of the respirator to be used by the employee;
2. The duration and frequency of respirator use (including use for rescue and escape);
3. The expected physical work effort;
4. Additional protective clothing and equipment to be worn; and
5. Temperature and humidity extremes that may be encountered.

(B) The employer shall not be required to provide any supplemental information provided previously to the PLHCP regarding an employee for a subsequent medical evaluation if the information and the PLHCP remain the same. When the employer replaces a PLHCP, the employer shall ensure that the new PLHCP obtains the information specified in (4)(A)1-5 by having the documents transferred from the former PLHCP to the new PLHCP. Employers are not required to have employees medically reevaluated solely because a new PLHCP has been selected.

(C) The employer shall provide the PLHCP with a copy of the written respiratory protection program and a copy of this section.

(5) Medical Determination.

(A) The employer shall obtain a written medical recommendation from the PLHCP regarding the employee's ability to use the respirator. The written medical recommendation shall be provided on the form in subsection (s) or provide substantially the same information as follows:

1. Any limitations on respirator use related to the medical condition of the employee, or relating to the workplace conditions in which the respirator will be used, including whether or not the employee is medically able to use the respirator;
2. The need, if any, for follow-up medical evaluations; and
3. A statement that the PLHCP has provided the employee with a copy of the PLHCP's written medical recommendation.

(B) If a negative pressure respirator is to be used and the PLHCP finds a medical condition that may place the employee's health at increased risk, the employer shall either provide a powered air purifying respirator (PAPR) provided the PLHCP's medical evaluation finds that the employee can use such a respirator or make changes in the workplace such that respiratory

protection is not required. If a subsequent medical evaluation finds that the employee is medically able to use a negative pressure respirator, then the employer shall no longer be required to provide a PAPR.

(6) Additional Medical Evaluations. The employer shall provide additional medical evaluations that comply with the requirements of this section if:

(A) An employee reports medical signs or symptoms that are related to their ability to use a respirator;

(B) A PLHCP, supervisor, or the respirator program administrator informs the employer that an employee needs to be reevaluated;

(C) Information from the respiratory protection program administrator, including observations made during fit testing and program evaluation, indicates a need for employee reevaluation; or

(D) A change occurs in workplace conditions including, but not limited to, physical work effort, protective clothing, or temperature, that may result in a substantial increase in the physiological burden placed on an employee.

(e) Fit Testing. The employer shall assure that employees using a tight-fitting facepiece respirator pass an appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT).

(1) The employer shall ensure that an employee using a tight-fitting facepiece respirator is fit tested before initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.

(2) The employer shall conduct an additional fit test whenever the employee reports, or the employer, PLHCP, supervisor, or respirator program administrator makes visual observations of changes in the employee's physical condition that could affect respirator fit. Such conditions include, but are not limited to, facial scarring, dental changes, cosmetic surgery, or an obvious change in body weight.

(3) If after passing a QLFT or QNFT, the employee subsequently notifies the employer, PLHCP, supervisor, or respirator program administrator that the fit of the respirator is unacceptable, the employee shall be given a reasonable opportunity to select a different respirator facepiece and to be retested.

(4) The fit test shall be administered using either the Cal/OSHA-accepted QLFT or QNFT protocols (Title 8, California Code of Regulations, section 5144, Appendix A), or as recommended by the manufacturer of the respirator, if such recommendations are in accordance with Title 8 CCR section 5144, Appendix A, Part II. QLFT is acceptable for all negative-pressure tight-fitting half or full facepiece respirators used in the application of pesticides.

(5) If the fit factor, as determined through a Cal/OSHA-accepted QNFT protocol (Title 8, California Code of Regulations, section 5144, Appendix A), is equal to or greater than 100 for tight-fitting half facepieces, or equal to or greater than 500 for tight-fitting full facepieces, the QNFT has been passed with that respirator.

(6) Fit testing of tight-fitting atmosphere-supplying respirators and tight-fitting powered air-purifying respirators shall be accomplished by performing quantitative or qualitative fit testing in the negative pressure mode, regardless of the mode of operation (negative or positive pressure) that is used for respiratory protection.

(A) Qualitative fit testing of these respirators shall be accomplished by temporarily converting the respirator user's actual facepiece into a negative pressure respirator with appropriate filters, or by using an identical negative pressure air-purifying respirator facepiece with the same sealing surfaces as a surrogate for the atmosphere-supplying or powered air-purifying respirator facepiece.

(B) Quantitative fit testing of these respirators shall be accomplished by modifying the facepiece to allow sampling inside the facepiece in the breathing zone of the user, midway between the nose and mouth. This requirement shall be accomplished by installing a permanent sampling probe onto a surrogate facepiece, or by using a sampling adapter designed to temporarily provide a means of sampling air from inside the facepiece.

(C) Any modifications to the respirator facepiece for fit testing shall be completely removed, and the facepiece restored to NIOSH-approved configuration, before that facepiece can be used in the workplace.

(f) Facepiece Seal Protection. A respirator that requires a tight face-to-facepiece seal shall not have any interference with the establishment of this seal. The employer shall ensure that:

(1) Employees shall not wear a respirator with a tight-fitting facepiece if:

(A) Facial hair comes between the sealing surface of the facepiece and the face or interferes with valve function; or

(B) Any physical or mental condition interferes with the face-to-facepiece seal or valve function.

(2) Corrective glasses or goggles or other personal protective equipment worn by an employee do not interfere with the face-to-facepiece seal.

(3) Employees perform a user seal check each time they put on the respirator using the Cal/OSHA procedures (Title 8, California Code of Regulations, section 5144, Appendix B-1) or procedures recommended by the respirator manufacturer that the employer demonstrates are as effective as those in the Cal/OSHA procedures when using tight-fitting respirators.

(4) Appropriate surveillance shall be maintained of work area conditions and degree of employee exposure or stress. When there is a change in work area conditions or degree of employee exposure or stress that may affect respirator effectiveness, the employer shall reevaluate the continued effectiveness of the respirator.

(5) Employees shall leave the contaminated area:

(A) To wash their faces and respirator facepieces as necessary to prevent eye or skin irritation associated with respirator use;

(B) If they detect vapor or gas breakthrough, changes in breathing resistance, or leakage of the facepiece; or

(C) To replace or adjust the respirator or the filter, cartridge, or canister elements.

(6) If the employee detects vapor or gas breakthrough, changes in breathing resistance, or leakage of the facepiece, the employer shall replace or repair the respirator before allowing the employee to return to the work area.

(g) Procedures for Immediately Dangerous to Life or Health (IDLH) Atmospheres. Fumigant-confining structures shall be considered IDLH atmosphere unless proven not to be by appropriate measuring devices. For all IDLH atmospheres, the employer shall assure that:

(1) One employee, or when needed pursuant to (2), more than one employee is located outside the IDLH atmosphere;

(2) Visual, voice, or signal line communication is maintained between the employee(s) in the IDLH atmosphere and the employee(s) located outside the IDLH atmosphere;

(3) The employee(s) located outside the IDLH atmosphere is trained and equipped to provide effective emergency rescue;

(4) The employee(s) located outside the IDLH atmosphere notifies the employer or designee, and/or calls 9-1-1 before entering the IDLH atmosphere to provide emergency rescue. Once notified, the employer or designee authorized to do so by the employer, shall provide necessary assistance appropriate to the situation; and

(5) Employee(s) located outside the IDLH atmospheres is equipped with:

(A) Pressure demand or other positive pressure self-contained breathing apparatus (SCBA), or a pressure demand or other positive pressure supplied-air respirator with auxiliary SCBA; and if necessary,

(B) Appropriate retrieval equipment for removing the employee(s) who enter(s) these hazardous atmospheres where retrieval equipment would contribute to the rescue of the employee(s) and would not increase the overall risk resulting from entry.

(h) Cleaning and Disinfecting. The employer shall provide each respirator user with a respirator that is clean, sanitary, and in good working order. The employer shall ensure that respirators are cleaned and disinfected using the procedures recommended by the respirator manufacturer. If the manufacturer requires a cleaning

agent that does not contain a disinfectant, the respirator components shall be disinfected with a registered disinfectant approved for such use. The employer shall assure that:

- (1) Respirators issued for the exclusive use of an employee shall be cleaned and disinfected as often as necessary to be maintained in a sanitary condition.
- (2) Respirators maintained for emergency use shall be cleaned and disinfected after each use.
- (3) Respirators that are collected and reissued for use of any employee shall be cleaned and disinfected before reissued.
- (4) Respirators are stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals. Respirators shall be packed or stored to prevent deformation of the facepiece and exhalation valve.

(i) Storage of Emergency Respirators. Emergency respirators shall be:

- (1) Stored immediately accessible to the work area.
- (2) Stored in compartments or in covers that are clearly marked as containing emergency respirators.
- (3) Stored in accordance with any applicable manufacturer instructions.
- (4) Stored in such a location as to be safely accessible for use if conditions develop requiring utilization of emergency respiratory protection.

(j) Inspection and Repair.

(1) The employer shall ensure that all respirators are inspected before each use and during cleaning, and that:

(A) Routine-use respirator inspections include the following:

1. A check of respirator function, tightness of connections, and the condition of the various parts including, but not limited to, the facepiece, head straps, valves, connecting tube, and cartridges, canisters or filters;
2. A check of elastomeric parts for pliability and signs of deterioration; and
3. SCBA air cylinders are checked to ensure that at least one routine use SCBA air cylinder is charged to 80 percent of the manufacturer's recommended pressure level at the beginning of the workday.

(B) Emergency-use or second respirators are checked to ensure that the air cylinders are maintained at 100 percent of manufacturer's recommended capacity just prior to each use of a pesticide requiring their presence.

(C) Emergency-use respirators are also inspected at least monthly according to the routine-use inspection criteria, manufacturer's recommendations, and include performance of the following:

1. A check for proper function;
2. A certification that documents the date the inspection was performed, the name (or signature) of the person who made the inspection, the findings, required remedial action, and a serial number or other means of identifying the inspected respirator; and that this information is included on a tag or label that is attached to the storage compartment for the respirator or is kept with the respirator. This information shall be maintained until replaced following a subsequent certification; and
3. A check for properly functioning SCBA regulator and warning devices.

(D) Escape-only respirators must be inspected according to the routine-use inspection criteria, and before being brought into the workplace for use.

(2) The employer shall ensure that respirators that fail an inspection or are otherwise found to be defective shall be removed from service, and discarded, repaired, or adjusted in accordance with the following procedures:

(A) Repairs or adjustments to respirators shall be made only by persons appropriately trained to perform such operations and shall use only the respirator manufacturer's NIOSH-approved parts designed for the respirator;

(B) Repairs shall be made according to the manufacturer's recommendations and specifications for the type and extent of repairs to be performed; and

(C) Reducing and admission valves, regulators, and alarms shall be adjusted or repaired only by the manufacturer or a technician trained by the manufacturer.

(k) Breathing Air Quality and Use. The employer shall ensure:

- (1) Compressed breathing air suppliers meet at least the requirements for Grade D breathing air described by the Compressed Gas Association (CGA) Commodity Specification for Air, G-7.1-1997 and certify such with a Certificate of Analysis (original or copy) from the supplier.
- (2) Cylinders shall be tested and maintained as prescribed in the Shipping Container Specification Regulations of the Department of Transportation (49 Code of Federal Regulation part 173 and part 178).
- (3) Compressors used to supply breathing air to respirators are constructed and situated so as to conform to Title 8, California Code of Regulations, section 5144.

(l) Identification of Filters, Cartridges, and Canisters. The employer shall ensure that all filters, cartridges and canisters used in the workplace are labeled and color-coded with the NIOSH approval label. The label shall remain legible and not be removed.

(m) Training and Information. In addition to the training requirements specified in section 6724, the employer shall ensure that:

- (1) Each employee can demonstrate knowledge of at least the following:
 - (A) Why the respirator is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the respirator;
 - (B) What the limitations and capabilities of the respirator are;
 - (C) How to use the respirator effectively in emergency situations, including situations in which the respirator malfunctions;
 - (D) How to inspect, put on and remove, use, and check the seals of the respirator;
 - (E) What the procedures are for maintenance and storage of the respirator;
 - (F) How to recognize medical signs and symptoms that may limit or prevent the effective use of respirators; and
 - (G) The general requirements of this section.
- (2) Training shall be conducted in a manner that is understandable to the employee.
- (3) Training is provided prior to requiring the employee to use a respirator in the workplace.
- (4) A new employee who has received training within the last 12 months that addresses the elements specified in subsection
- (m)(1)(A) through (G) is not required to repeat such training provided that, as required by subsection (m)(1), the employee can demonstrate knowledge of those element(s). Previous training not repeated initially by the employer must be provided no later than 12 months from the date of the previous training.
- (5) Retraining shall be administered annually, and when the following situations occur:
 - (A) Changes in the workplace or the type of respirator render previous training obsolete;
 - (B) Inadequacies in the employee's knowledge or use of the respirator indicate that the employee has not retained the requisite understanding or skill; or
 - (C) Any other situation arises in which retraining appears necessary to ensure safe respirator use.
- (6) The basic advisory information on respirators specified in (r) is provided in any written or oral format to employees who wear respirators when such use is not required by label, restricted materials permit condition, regulation, or by the employer.

(n) Program Evaluation.

- (1) The employer shall conduct evaluations of the workplace as necessary to ensure that the provisions of the current written program are being effectively implemented and that it continues to be effective as required by this section.
- (2) The employer shall annually consult employees required to use respirators to assess the employees' views on program effectiveness and to identify any problems. Any problems that are identified during this assessment shall be corrected. Factors to be assessed include, but are not limited to:
 - (A) Respirator fit (including the ability to use the respirator without interfering with effective workplace performance);
 - (B) Appropriate respirator selection for the pesticides to which the employee is exposed;
 - (C) Proper respirator use under the workplace conditions the employee encounters; and

- (D) Proper respirator maintenance.
- (3) A written record of these evaluations and consultations shall be documented and at least contain:
 - (A) Name of workers consulted.
 - (B) Date of evaluation/consultation.
 - (C) Description of any finding from the evaluation or consultation requiring modification of written respiratory protection program or a declaration of no findings.
- (4) Any findings from either the employer evaluation or the employee consultation that necessitate the modification to the written respiratory protection program shall be implemented within 30 days from the date of the evaluation/consultation.
- (o) End-of-Service Life. When air-purifying respirators are required for protection against pesticides, the employer shall ensure that air-purifying elements (or entire respirator, if disposable type) shall be replaced according to the following hierarchically arranged criteria:
 - (1) At the first indication of odor, taste, or irritation while in use, the respirator wearer leaves the contaminated area, adjusts the mask for fit and on returning still encounters odor, taste, or irritation. This criterion item supercedes any of the criteria listed in (2)-(6).
 - (2) When any End-of-Service-Life-Indicator (ESLI) indicates that the respirator has reached its end of service;
 - (3) All disposable filtering facepiece respirators shall be discarded at the end of the workday;
 - (4) According to pesticide-specific label directions/recommendations;
 - (5) According to pesticide-specific directions from the respirator manufacturer;
 - (6) Absent any pesticide-specific directions/recommendations, at the end of the day's work period;
- (p) Recordkeeping. The employer shall retain written information regarding medical recommendations, fit testing, and the respirator program.
 - (1) Records required by this section shall be maintained while the employee is required to use respiratory protection and for three years after the end of employment conditions requiring respiratory protection and shall be available for inspection by the employee, the Director, or commissioner.
 - (2) Fit testing.
 - (A) The employer shall establish a record of the qualitative and quantitative fit tests administered to an employee including:
 - 1. The name or identification of the employee tested;
 - 2. Type of fit test performed;
 - 3. Specific make, model, style, and size of respirator tested;
 - 4. Date of test; and
 - 5. The pass/fail results for qualitative fit testing or the fit factor and strip chart recording or other recording of the test results for QNFTs.
 - (3) A written copy of the current respirator program shall be retained by the employer. Previous versions of the written respirator protection program shall be retained for three years.
 - (4) Written information required to be retained under this subsection shall be made available upon request to employees falling under the respiratory protection program and to the commissioner or persons designated by the Director for review and copying.
- (q) **Medical Evaluation Questionnaire.** The completion of this form, or a form that obtains the same information as the medical questionnaire by each respirator wearing employee; and the review of the completed form by a physician or licensed health care provider, is mandatory for all employees whose work activities require the wearing of respiratory protection.

The medical evaluation questionnaire shall be administered in a manner that ensures that the employee understands the document and its content. The person administering the questionnaire shall offer to read or explain any part of the questionnaire to the employee in a language and manner the employee understands. After giving the employee the questionnaire, the person administering the questionnaire shall ask the following question of the employee: "Can you read and complete this questionnaire?" If the answer is affirmative, the employee shall be allowed to confidentially complete the questionnaire. If the answer is negative, the employer must provide either a copy of the questionnaire in a language understood by the employee or a confidential reader, in the primarily understood language of the employee.

To the employee:

Can you read (circle): Yes/No (*This question to be asked orally by employer. If yes, employee may continue with answering form. If no, employer must provide a confidential reader, in the primarily understood language of the employee.*)

Your employer must allow you to answer this questionnaire during normal working hours, or at a time and place that is convenient to you. To maintain your confidentiality, your employer or supervisor must not look at or review your answers, and your employer must tell you how to deliver or send this questionnaire to the health care professional who will review it.

Section 1. (Mandatory, no variance in this format allowed) Every employee who has been selected to use any type of respirator must provide the following information (please print):

1. Today's date: ____/____/____
2. Your name: _____
3. Your age: _____
4. Sex (circle one): Male/Female
5. Your height: _____ ft. _____ in.
6. Your weight: _____ lbs.
7. Your job title: _____
8. How can you be reached by the health care professional who reviews this questionnaire?

9. If by phone, the best time to call is Morning/Afternoon/Evening/Night at:

(include the area code): ____-____-____

10. Has your employer told you how to contact the health care professional who will review this questionnaire (circle one):

Yes/No

11. Check the type of respirator you will use (you can check more than one category):

- a. N, R, or P disposable respirator (filter-mask, noncartridge type only).
- b. Half-face respirator (particulate or vapor filtering or both)
- c. Full-face respirator (particulate or vapor filtering or both)
- d. Powered air purifying respirator (PAPR)
- e. Self contained breathing apparatus (SCBA)
- f. Supplied air respirator (SAR)
- g. Other

12. Have you worn a respirator (circle one): Yes/No

If "yes," what type(s):

- a. N, R, or P disposable respirator (filter-mask, noncartridge type only).
- b. Half-face respirator (particulate or vapor filtering or both)
- c. Full-face respirator (particulate or vapor filtering or both)
- d. Powered air purifying respirator (PAPR)
- e. Self contained breathing apparatus (SCBA)
- f. Supplied air respirator (SAR)
- g. Other

Section 2. (Mandatory) Every employee who has been selected to use any type of respirator must answer questions 1 through 8 below (please circle "yes" or "no").

1. Do you currently smoke tobacco or have you smoked tobacco in the last month: Yes/No

2. Have you ever had any of the following conditions?

- a. Seizures (fits): Yes/No
- b. Allergic reactions that interfere with your breathing: Yes/No
- c. Claustrophobia (fear of closed-in places): Yes/No
- d. Trouble smelling odors: Yes/No/Do not know
- e. Diabetes (sugar disease): Yes/No/Do not know

3. Have you ever had any of the following pulmonary or lung problems?

- a. Asbestosis: Yes/No

- b. Asthma: Yes/No
- c. Chronic bronchitis: Yes/No
- d. Emphysema: Yes/No
- e. Pneumonia: Yes/No
- f. Tuberculosis: Yes/No
- g. Silicosis: Yes/No
- h. Pneumothorax (collapsed lung): Yes/No
- i. Lung cancer: Yes/No
- j. Broken ribs: Yes/No
- k. Any chest injuries or surgeries: Yes/No
- l. Any other lung problem that you have been told about: Yes/No
- 4. Do you currently have any of the following symptoms of pulmonary or lung illness?
 - a. Shortness of breath: Yes/No
 - b. Shortness of breath when walking fast on level ground or walking up a slight hill or incline: Yes/No
 - c. Shortness of breath when walking with other people at an ordinary pace on level ground: Yes/No
 - d. Have to stop for breath when walking at your own pace on level ground: Yes/No
 - e. Shortness of breath when washing or dressing yourself: Yes/No
 - f. Shortness of breath that interferes with your job: Yes/No
 - g. Coughing that produces phlegm (thick sputum): Yes/No
 - h. Coughing that wakes you early in the morning: Yes/No
 - i. Coughing that occurs mostly when you are lying down: Yes/No
 - j. Coughing up blood in the last month: Yes/No
 - k. Wheezing: Yes/No
 - l. Wheezing that interferes with your job: Yes/No
 - m. Chest pain when you breathe deeply: Yes/No
 - n. Any other symptoms that you think may be related to lung problems: Yes/No
- 5. Have you ever had any of the following cardiovascular or heart problems?
 - a. Heart attack: Yes/No
 - b. Stroke: Yes/No
 - c. Angina (pain in chest): Yes/No
 - d. Heart failure: Yes/No
 - e. Swelling in your legs or feet (not caused by walking): Yes/No
 - f. Irregular heart beat (an arrhythmia): Yes/No/Do not know.
 - g. High blood pressure: Yes/No/Do not know
 - h. Any other heart problem that you have been told about: Yes/No
- 6. Have you ever had any of the following cardiovascular or heart symptoms?
 - a. Frequent pain or tightness in your chest: Yes/No
 - b. Pain or tightness in your chest during physical activity: Yes/No
 - c. Pain or tightness in your chest that interferes with your job: Yes/No
 - d. In the past two years, have you noticed your heart skipping or missing a beat: Yes/No
 - e. Heartburn or indigestion that is not related to eating: Yes/No
 - f. Any other symptoms that you think may be related to heart or circulation problems: Yes/No
- 7. Do you currently take medication for any of the following problems?
 - a. Breathing or lung problems: Yes/No
 - b. Heart trouble: Yes/No
 - c. Blood pressure: Yes/No
 - d. Seizures (fits): Yes/No
- 8. If you have used a respirator, have you ever had any of the following problems?
 (If you have never used a respirator, check the following space and go to question 9:)
 - a. Eye irritation: Yes/No
 - b. Skin allergies or rashes: Yes/No
 - c. Anxiety: Yes/No

d. General weakness or fatigue: Yes/No

e. Breathing difficulty: Yes/No

f. Any other problem that interferes with your use of a respirator: Yes/No

9. Would you like to talk to the health care professional who will review this questionnaire about your answers to this questionnaire: Yes/No

Questions 10-15 must be answered by every employee who has been selected to use either a full-facepiece respirator or a self-contained breathing apparatus (SCBA). For employees who have been selected to use other types of respirators, answering these questions is voluntary.

10. Have you ever lost vision in either eye (temporarily or permanently): Yes/No

11. Do you currently have any of the following vision problems?

a. Wear contact lenses: Yes/No

b. Wear glasses: Yes/No

c. Color blind: Yes/No

d. Any other eye or vision problem: Yes/No

12. Have you ever had an injury to your ears, including a broken ear drum: Yes/No

13. Do you currently have any of the following hearing problems?

a. Difficulty hearing: Yes/No

b. Wear a hearing aid: Yes/No

c. Any other hearing or ear problem: Yes/No

14. Have you ever had a back injury: Yes/No

15. Do you currently have any of the following musculoskeletal problems?

a. Weakness in any of your arms, hands, legs, or feet: Yes/No

b. Back pain: Yes/No

c. Difficulty fully moving your arms and legs: Yes/No

d. Pain and stiffness when you lean forward or backward at the waist: Yes/No

e. Difficulty fully moving your head up or down: Yes/No

f. Difficulty fully moving your head side to side: Yes/No

g. Difficulty bending at your knees: Yes/No

h. Difficulty squatting to the ground: Yes/No

i. Difficulty climbing a flight of stairs or a ladder carrying more than 25 lbs: Yes/No

j. Any other muscle or skeletal problem that interferes with using a respirator: Yes/No

At the discretion of the PLHCP, if further information is required to ascertain the employee's health status and suitability for wearing respiratory protection, the PLHCP may include and require the questionnaire found in Title 8, California Code of Regulations, section 5144, Appendix C, Part B, Questions 1-19.

(r) Voluntary Respirator Provision Information. The employer shall ensure that the following information is provided to employees who voluntarily wear a respirator when not required to do so by label, restricted materials permit condition, regulation, or employer.

Information for Employees Using Respirators When Not Required By Label or Restricted Material Permit Conditions or Regulation.

Respirators are an effective method of protection against designated hazards when properly selected and worn. Respirator use, even when exposures are below the exposure limit, may provide an additional level of comfort and perceived protection for workers. However, if a respirator is used improperly or not kept clean, the respirator itself can become a hazard to the worker. Sometimes, workers may wear respirators to avoid exposures to hazards, even if the amount of hazardous substance does not exceed the limits set by OSHA standards or Department of Pesticide Regulation guidelines. If your employer provides respirators for your voluntary use, or if you provide your own respirator, you need to take certain precautions to be sure that the respirator itself does not present a hazard.

You should do the following:

1. Read and follow all instructions provided by the manufacturer on use, maintenance, cleaning and care, and warnings regarding the respirators limitations.

2. Choose respirators certified for use to protect against the contaminant of concern. NIOSH, the National Institute for Occupational Safety and Health of the U.S. Department of Health and Human Services, certifies

respirators. A label or statement of certification should appear on the respirator or respirator packaging. It will tell you what the respirator is designed for and how much it will protect you.

3. Do not wear your respirator into atmospheres containing contaminants for which your respirator is not designed to protect against. For example, a respirator designed to filter dust particles will not protect you against gases, vapors, or very small solid particles of fumes or smoke.

4. Keep track of your respirator so that you do not mistakenly use someone else's respirator.

5. Air filtering respirators DO NOT supply oxygen. Do not use in situations where the oxygen levels are questionable or unknown.

(s) Medical Recommendation Form. A physician or other licensed health care professional's report of evaluation and approval for respirator use must be on file with the employer before work requiring respirator use is allowed. The following or substantially similar statement from a physician is acceptable:

On _____, I evaluated _____.

Date

Patient's name

At this time there (are)/(are not) medical contraindications to the employee named above wearing a respirator while working in potential pesticide exposure environments. The patient (does)/(does not) require further medical evaluation at this time. Any restrictions to wearing a respirator or to the type of respiratory protection are given below.

I have provided the above-named patient with a copy of this form.

Physician

Date

INFORMATIONAL NOTE for section 6739: Employers requiring employees to enter oxygen-deficient atmospheres shall conform to respiratory protection requirements in Title 8, California Code of Regulations, section 5144. Oxygen-deficient atmospheres contain less than 19.5 percent oxygen by volume.

6740. Adequate Light.

Whenever natural light in a mixing/loading area is not adequate to allow an employee to read the label and work in a safe manner, artificial light shall be provided in such areas that is sufficient to perform these activities.

6742. Safe Equipment.

(a) The employer shall assure that equipment used for mixing, loading, transferring, or applying pesticides is inspected before each day of use and equipment with any safety defect is repaired or altered to remove the hazard before further use.

(b)(1) All openings on tanks used for mixing or applying pesticides must be equipped with covers that will prevent splashes and spills.

(2) Flexible hoses carrying liquid pesticides in toxicity categories one or two under pressure must not pass unshielded through the cockpit of an airplane or helicopter.

(3) Shut-off devices must be installed on the exit end of all hoses carrying liquid pesticides in toxicity categories one or two from mixing tanks that are adequate to prevent splashes onto the employee doing the loading when filling operations are stopped and the filler hose is removed from the inlet to the tank of the application vehicle. As an alternative, a reversing action pump, or similar system, may be used that will empty the hose and will eliminate dripping of liquid from the end of the hose when the filling operation is stopped.

(4) Each tank, with a capacity of more than 49 gallons, that is used to mix or apply any liquid mixture derived from a pesticide in toxicity categories one or two, must have either:

(A) a properly functioning means to indicate externally the internal liquid level in the tank such as a sight gauge; or

- (B) the tank or the filler hose nozzle must have a device that will automatically stop the filling operation before the pesticide liquid mixture spills over the top.
- (5) All external sight gauges must be protected against breakage and be equipped with valves so the pipes or tubes connected to the sight gauge can be shut off.

6744. Equipment Maintenance.

- (a) Persons who own or operate pesticide mixing, loading, or application equipment shall inform each employee under their control who may be involved in the cleaning, servicing or repair of that equipment of the hazards of the pesticides that a person may encounter, and the methods of protecting against personal injury.
- (b) When cleaning, servicing or repairing is to be performed by persons not under the control of the owner or operator of the equipment, the owner or operator of the equipment shall notify the person in charge of performing these services of the requirements in (a).

(1) If the equipment has been used in the commercial or research production of an agricultural plant commodity, the owner or operator of the equipment shall also notify the person in charge of performing these services of the following:

- (A) Pesticide application equipment may be contaminated with pesticides.
- (B) Procedures for handling pesticide application equipment and for limiting exposure to pesticide residues.
- (C) Personal hygiene practices and decontamination procedures for preventing pesticide exposures and removing pesticide residues.

- (c) Employees who clean, service, or repair mixing and application equipment shall be provided with any necessary protective equipment or clothing by their employer, and shall be instructed and supervised in the maintenance operation in a manner that will reduce work hazards.

6746. Closed Mixing Systems Requirement.

Closed mixing systems are engineering controls used to protect workers from dermal hazard when mixing pesticides with high acute dermal toxicity. The dermal toxicity of a pesticide is determined by the precautionary statements on the label.

- (a) When mixing liquid formulations of pesticides for the production of an agricultural commodity, the employer shall assure employees use an appropriate closed mixing system as specified by this section or pesticide product labeling.
- (b) Employees who mix liquid pesticide products, including adjuvants, bearing the statement "Fatal if absorbed through skin" or other comparable language shall use a closed mixing system that is capable of enclosing the pesticide while removing the contents from its original container, preventing the pesticide from contacting handlers. Each emptied pesticide container must be rinsed and drained as required by the pesticide product label or section 6684, and while still connected to the closed mixing system. A closed mixing system meeting this standard is a "Tier 1" closed mixing system.
- (c) Employees who mix liquid pesticide products, excluding adjuvants, bearing the statement "May be fatal if absorbed through skin" or "Corrosive, causes skin damage" or other comparable language shall use a closed mixing system that is capable of enclosing the pesticide while removing the contents from its original container, preventing the pesticide from contacting handlers. A closed mixing system meeting this standard is a "Tier 2" closed mixing system.
- (d) The employer shall assure employees operating a closed mixing system are trained in its use pursuant to section 6724 and operate the closed mixing system in accordance with its written operating instructions.
- (e) All personal protective equipment (PPE) required by the pesticide product label, restricted material permit conditions, or regulation must be at the worksite during operation of the closed mixing system and available in a condition that provides the intended protection. Protective eyewear must be worn while using a closed mixing system. While using a closed mixing system, PPE requirements may be reduced or modified as provided in section 6738.4.
- (f) Closed Mixing System Design Criteria - A closed mixing system must meet the following design criteria.
 - (1) Any closed mixing system used, as required by this section, must be designed to remove a pesticide from its original container and transfer the pesticide product through connecting hoses, pipes and

couplings that are sufficiently tight to prevent exposure of any employee to the pesticide concentrate or, when rinsing is required, the rinsate.

(2) Properly Constructed

(A) All elements of the closed mixing system, such as hoses, connectors, and valves, must be designed and maintained for the pesticides being transferred and the pressures or vacuums being generated during system operation.

(B) Tier 1 closed mixing systems must provide for effective rinsing of the original pesticide product from the emptied container as specified by section 6684 and transfer the rinsate to the mix or spray tank.

(C) Tier 1 closed mixing systems must provide adequate pressure and volume of rinse water to rinse the inner surfaces of the pesticide container and must not rupture the container by over pressurizing.

(g) Written Operating Instructions and Maintenance Requirements.

(1) Any employee using a closed mixing system must have written operating instructions.

(2) The written operating instructions must include: operating procedures for use, including the safe removal of a probe; maintenance, cleaning and repair; known restrictions or limitations relating to the system, such as incompatible pesticides, sizes (or types) of containers or closures that cannot be handled by the system; any limits on the ability to measure a pesticide, or special procedures or limitations on the ability of the system to handle partial containers.

(3) The written operating instructions must be clearly legible and available with the closed mixing system and available for inspection by the Director or commissioner upon request.

(4) The employer shall assure that the closed mixing system is cleaned and maintained as specified in the written operating instructions, and as needed to ensure the closed mixing system functions properly.

(h) Exemptions. The requirements of this section do not apply to:

(1) Mixing pesticides using a method or mixing device required by the pesticide product label and the failure to follow the label directions would result in the use of a pesticide in conflict with labeling, as specified in Food and Agricultural Code section 12973.

(2) Opening of a container by removal of the manufacturer's original sealing device without removing any of the contents before re-closing with a liquid-tight sealing device.

(3) Regulatory personnel collecting samples of pesticides.

(4) The rinsing of refillable pesticide containers that are required to be returned to a pesticide dealer, pesticide registrant, or manufacturer (pesticide producing establishment registered by the U.S. Environmental Protection Agency).

(5) An employee required to use a Tier 2 closed mixing system if the employee handles a daily maximum of one gallon or less. The employee shall wear all personal protective equipment required by pesticide product labeling and regulation when not using a closed mixing system.

Division 6. Pesticides and Pest Control Operations

Chapter 3. Pest Control Operations

Subchapter 3. Pesticide Worker Safety

Article 4. Fumigation

6780. General Fumigation Safe-Use Requirements.

(a) When fumigant concentrations cannot be controlled and an employee's exposure exceeds the Permissible Exposure Limit (PEL) as specified in Title 8, California Code of Regulations, Section 5155, Airborne Contaminants, or more stringent requirements by product labeling, the employer shall provide and require the employee to wear approved respiratory protective equipment.

(b) Whenever an employee may be exposed above an exposure standard to methyl bromide, sulfuryl fluoride, or any other fumigant for which only air-supplied respirator equipment is approved, the employer shall either:

(1) Require the use of air-supplied respirator equipment,

(2) Employ continuous monitoring to warn employees before the PEL is reached, or

(3) Operate under the provisions of (c) below.

(c) Upon written application by an employer, the director will review, and may accept, a Fumigation Safety Program that describes methods, work practices, devices, or processes which the director determines will ensure that employees will not be exposed to concentrations of fumigants in excess of the PEL.

(d) The employer shall have an accident response plan at the worksite. The plan shall provide instructions to protect employees during situations such as spills, fire, and leaks. Employees shall be trained in accident management procedures based on the plan.

6782. Fumigation of Enclosed Areas.

Enclosed areas include vaults, chambers, greenhouses, vans, boxcars, ships, planes, vehicles, and tarpaulin-covered structures and commodities. When fumigating tarpaulin-covered commodities inside buildings, and areas or things inside greenhouses, this Section applies to the entire structure.

(a) Whenever a pesticide is used for fumigation inside an enclosed areas, at least two trained employees shall be present at all times when:

(1) The fumigant is introduced into the enclosed areas;

(A) Except, only one trained person is required to be present when solid fumigants (including aluminum phosphide, magnesium phosphide, and smoke cartridges) are introduced into the enclosed space from outside the enclosed areas;

(2) The enclosed areas is entered for the purpose of facilitating aeration; and

(3) The enclosed areas is entered to determine the concentration of the fumigant and personal protective equipment is required by pesticide product labeling or regulation.

(b) When using a fumigant for the commercial or research production of an agricultural commodity, any employee in an enclosed area during a fumigant application shall maintain continuous visual or voice contact with another employee stationed immediately outside of the enclosed area.

(c) The second employee shall have immediate access to the personal protective equipment required by the pesticide product labeling for handlers in the event entry into the fumigated enclosed area becomes necessary for rescue.

(d) Prior to the commencement of fumigation, warning signs shall be posted in plainly visible locations on or in the immediate vicinity of all entrances to the area under fumigation and shall not be removed until fumigation and ventilation have been completed, and the premises are safe for reentering. Warning signs shall be printed in red on white background and shall contain, in English and Spanish, the following statement in letters not less than two inches in height: "DANGER-FUMIGATION". They shall also depict a skull and crossbones not less than one inch in height and shall state in letters not less than one-half inch in height the name of the fumigant, the date and time the fumigant was injected, and the name, address and telephone number of the applicator performing the fumigation.

(d) Employees shall not be allowed to enter fumigated enclosed areas, except to determine the fumigant concentration or facilitate aeration, unless the concentration in the area is known to be at or below the level specified in 6780(a) above.

(e) The fumigant shall not be released into an occupied work area.

(f) After completion of the fumigation, the treated area or products shall be managed so that employees entering the area or working with the treated products are not exposed to a concentration in excess of the level specified in 6780(a) above.

Article 5. Minimal Exposure Pesticides

6790. Minimal Exposure Pesticides.

This article applies to the following:

- (a) Bromoxynil (Buctril, Bronate)
- (b) Folpet
- (c) Oxydemeton-methyl (Metasystox-R)
- (d) Propargite (Omite, Omite CR, Comite)

6791. Exemptions.

The following exemptions apply to the specific minimal exposure pesticides:

- (a) Folpet, when contained in or added to paints, coatings, or caulking compounds, is exempt from the requirements of this article.

6792. Conditions of Use.

The following conditions apply to the specific minimal exposure pesticides:

- (a) Applications of oxydemeton-methyl to ornamental landscape trees and shrubs shall be made by trunk injection or soil injection methods only;
- (b) Oxydemeton-methyl shall not be applied within a greenhouse; and
- (c) Propargite shall not be applied within a greenhouse.

6793. Minimal Exposure Pesticide Safety Use Requirements.

- (a) The employer shall provide a clothing change area and instructions, as required by section 6732, for employees who handle minimal exposure pesticides for any period of time, regardless of the toxicity category of the product used.
- (b) The employer shall provide washing facilities, as specified in section 6734, where minimal exposure pesticides are mixed or loaded, regardless of the toxicity category of the product used.
- (c) The employer shall provide and maintain coveralls and require them to be worn, regardless of the toxicity category.
- (d) The employer shall provide and require employees to wear full-body, chemical-resistant protective clothing, as specified in subsections 6738.1(g), when handling minimal exposure pesticides. Employees working in the following situations are not required by this subsection to wear chemical-resistant, full-body protective clothing, but this clothing shall be present at the work site:
 - (1) employees using a closed system, or sealed water soluble packets, while mixing, loading, or transferring these pesticides. These employees shall wear a chemical-resistant apron, protective eyewear, chemical-resistant gloves, and chemical-resistant boots;
 - (2) employees working as applicators in enclosed cabs;
 - (3) applicators using vehicle-mounted or towed equipment to inject or incorporate these pesticides into the soil; and
 - (4) applicators using equipment with vehicle-mounted spray nozzles directed downward and located below the level of the employee.
- (e) The employer shall provide and require employees to wear respiratory protection, as specified in section 6739, when engaged in:
 - (1) Hand application or ground application of minimal exposure pesticides, except:
 - (A) Reserved;
 - (B) applicators using vehicle-mounted or towed equipment to inject or incorporate these pesticides into the soil; and
 - (C) applicators using equipment with vehicle-mounted spray nozzles directed downward and located below the level of the employee;
 - (2) Mixing or loading dry formulations of minimal exposure pesticides, except mixers or loaders using sealed water-soluble packets.
- (f) All protective clothing and equipment shall be cleaned inside and out or discarded at the end of the day's use.

Medical Supervision Program

MEDICAL SUPERVISION WRITTEN AGREEMENT

I, _____ (Physician name), agree to provide medical supervision for
the employees of _____. (Grower or
Company)

I possess a copy of, and am aware of the contents of, the following documents:

Medical Supervision of Pesticide Workers - Guidelines for Physicians.

(Physician)

(Address)

(City, State, Zip)

(Telephone)

(Signed)

(Grower Name/Company)

(Address)

(City, State, Zip)

(Telephone)

(Signed)

WRITTEN TRAINING PROGRAM

Employer Name: _____

Trainer's Name: _____

Trainer's Qualification: _____ PA: _____ QAL/QAC: _____ PCA: _____

Training Materials:

Name of videos, pamphlets, or other training materials, and a brief description:

1. _____
2. _____
3. _____
4. _____

Pesticide labeling from the following products:

Pesticide Safety Information Series (PSIS) leaflets used:

Materials Safety Data Sheets (MSDS) for the following products:

Pesticide Handler Training Program

PESTICIDE SAFETY TRAINING RECORD

Print EMPLOYEE'S Name: _____

EMPLOYEE'S Signature: _____

Print EMPLOYER'S Name: _____

Print TRAINER'S Name: _____

Trainer Qualifications: _____

ASSIGNED JOB DUTIES

- ☐ Mixer/Loader
- ☐ Applicator
- ☐ Service/Repair
- ☐ Flagger
- ☐ Other _____

Annual Training	Specific Pesticides					
Trainer Initials						
Employee Initials						

Subjects as Specified in Section 6724(b) of the California Code of Regulations

Safe Use of Pesticides	READ THE LABEL: Signal word, caution statements, first aid, rate, dilution volume. Applicable laws and regulations. MSDS and PSIS leaflet.						
	PROTECTIVE CLOTHING AND EQUIPMENT: Coveralls, gloves, goggles, boots, respirator, apron. Equipment cleaning and maintenance.						
	USE OF ENGINEERING CONTROLS (i.e., closed system, enclosed cabs).						
	SAFETY PROCEDURES: To be followed while mixing, loading, applying pesticides. Procedures for handling non-routine tasks or emergency situations.						
	DRIFT: Confine the spray to the crop. Watch out for people, animals, waterways, or any special hazard.						
	TRIPLE RINSE PESTICIDE CONTAINERS AT TIME OF USE: Never take home pesticide containers used at work.						
	STORE pesticides in a LOCKED and posted area or attended by an authorized person.						
	WEAR CLEAN WORK CLOTHES DAILY. Be aware of pesticide residues on clothing.						
	WASH hands and arms with SOAP & WATER: Before eating, drinking, smoking, going to the bathroom. Emergency eye flushing techniques.						
	WASH COMPLETELY at the end of the workday. Change into clean clothing.						
Health Information	EMERGENCY MEDICAL INFORMATION: Name, address, phone number of clinic, physician, or hospital emergency room & where information is located.						
	HEAT RELATED ILLNESS: Prevention, recognition, and first aid treatment.						
	LOCATION OF PESTICIDE SAFETY INFORMATION SERIES (PSIS): Material Safety Data Sheets (MSDS). Pesticide Use Records, safety posters, and Restricted Entry Interval Information.						
	EMPLOYEE'S RIGHTS: Against discharge, discrimination. Right to receive information.						
	NEED FOR IMMEDIATE DECONTAMINATION of skin and eyes when exposure occurs.						
	SYMPTOMS OF POISONING: Pinpoint pupils, nausea, shortness of breath, dizziness, headaches, blurred vision. Ways poisoning or injury can occur.						
	ROUTES THROUGH WHICH PESTICIDES ENTER THE BODY.						
	UNDERSTANDING THE IMMEDIATE AND LONG TERM HAZARDS involved in handling pesticides. Known or suspected chronic and acute effects.						
	MEDICAL SUPERVISION: Required when working with carbamate or organophosphate pesticides with signal word of DANGER or WARNING.						
Date of Training							

This form available in Spanish

Pesticide Handler Training Program
DATOS DE ENTRENAMIENTO DE SEGURIDAD PARA EL USO DE PESTICIDAS

Nombre de EMPLEADO: _____

Firma de EMPLEADO: _____

Nombre de MAYORDOMO: _____

Nombre de ENTRENADOR: _____

Títulos de ENTRENADOR: _____

TRABAJO ASIGNADO

- ☐ Mezclador/Cargador
- ☐ Aplicador/rociador
- ☐ Mantenimiento/Reparación
- ☐ Banderero
- ☐ Otro _____

Pesticidas Especificas						
Entrenamiento Anual						
Iniciales del Entrenador						
Iniciales del Empleado						

Subjects as Specified in Section 6724 (b) of the California Code of Regulations

Uso Seguro de Pesticidas	Lea la etiqueta: Palabras señales, declaraciones de precauciones, primeros auxilios, dosis, dilución, volumen. Leyes y reglamentos aplicables, MSDS, y hojas de PSIS.						
	Ropa y equipo protector (sobreropa, guantes, gafas, botas de hule, respirador, delantal) Limpieza y mantenimiento de equipo.						
	Uso de controles de ingeniería como sistemas cerrados o cabinas cerradas.						
	Procedimientos de seguro que debe usar cuando mezclando, cargando, o aplicando pesticidas. Situaciones de emergencia.						
	Deriva: Limite el rocío a la cosecha. Tenga cuidado con la gente, animales, vías de aguas, o cualquier peligro especial.						
	Enjuague los envases tres veces en tiempo de uso. Nunca se lleve envases de pesticidas usadas en su trabajo para su casa.						
	Use ropa de trabajo limpia diariamente. Darse cuenta de residuos de pesticidas en su ropa.						
	Los envases de pesticidas deben estar en un almacenaje con candado y rótulos o con una persona autorizada cuidando los.						
	Lave las manos y brazos con agua y jabón: Antes de comer, beber, fumar e ir al baño. Técnicas de emergencia para enjuagarse los ojos.						
	Lavarse completamente al fin del día de trabajo: Cambiarse a ropa limpia.						
Información de Salud	Donde buscar atención medica en emergencia: Nombre, domicilio, numero de teléfono de la clínica, doctor, o cuarto de emergencia del hospital.						
	Prevención, reconocimiento, primeros auxilios y tratamiento de enfermedad relacionada al calor.						
	Localización de la Serie de Información de Seguridad con Pesticidas (PSIS) o hojas de seguridad de producto (MSDS), archivos de aplicaciones de pesticidas, letreros de seguridad, y intervalos restringidos de reingreso (REI).						
	Derechos del empleado: contra descarga, discriminación y derechos de recibir información.						
	La necesidad para decontaminación inmediatamente de la piel y los ojos cuando sucede exposición.						
	Síntomas de envenenamiento: Pupilas muy pequeñas, nauseas, respiración breve, vértigo, dolor de cabeza, visión borrosa. Modo como envenenamiento o lesión puede ocurrir.						
	Rutas a través como pesticidas pueden entrar al cuerpo: boca, piel, ojos, inhalación.						
	Entendimiento de los peligros del uso de pesticidas inmediatos y de largo plazo; los efectos sospechosos o conocidos agudos o crónicos.						
	Supervisión medica: Requerido si trabaja mas de 6 días en 30 días con carbamatos, organofosfatos con las palabras "PELIGRO" o "AVISO" en la etiqueta.						

Fecha De
Entrenamiento

Application-Specific Information Display Chart

(Safety Data Sheets are displayed with this chart)

Pesticide	Location and Site ID	Crop or Site	Start and End Date/Time	Restricted Entry Interval (REI)	Active ingredient	EPA Registration Number

Complete chart within 24 hours of the application and display with SDS sheets where employees can review the information with unimpeded access.

Application-Specific Information Display Chart (Abbreviated)

Product active ingredients and EPA Registration numbers are found on the labels displayed with this chart.
(Safety Data Sheets are displayed with this chart)

Pesticide	Location and Site ID	Crop or Site	Start and End Date/Time

Complete chart within 24 hours of the application and display with the pesticide labels used and SDS sheets where employees can review the information with unimpeded access.

EMPLOYEE PESTICIDE USE RECORD

Whenever an employee mixes, loads, or applies a DANGER or WARNING pesticide that contains an **organophosphate** or **carbamate**, the employer must maintain use records that identify the employee, name of pesticide, and date of use. Retain these records for **three years**.

[illegible]

FIELDWORKER SAFETY TRAINING RECORD

NAME OF EMPLOYER: _____ DATE: _____

NAME OF TRAINER: _____

Trainer's qualification: _____

Symptoms of poisoning: Pinpoint pupils, nausea shortness of breath, dizziness, blurred vision. Ways poisoning or injury can occur.		Location of pesticide safety information series (PSIS) Material safety data sheets (MSDS), pesticide use reports, safety posters, and restricted entry intervals.	
Wash hands and arms with soap and water: Before eating drinking, smoking, or going to the bathroom. Emergency Eye flushing techniques.		The need for immediate decontamination of skin and eyes when exposure occurs.	
Wash completely at the end of the workday and change into clean clothing.		Employee's rights: against discharge, discrimination, rights to receive information.	
Wear clean work clothing daily. Be aware of pesticides residues on clothing.		Routes through which pesticides enter the body.	
Understanding the immediate and long-term hazards involved in handling pesticides. Known or suspected chronic and acute effects.		Prevention, recognition, and first aid treatment of heat related illness.	
Emergency medical information: Name, address, phone number of clinic, physician, or hospital emergency room and where information is located.		Restricted entry intervals and posting. Do not enter treated areas.	
Never take home pesticide containers used at work.			

Print Your Name

Sign Your Name

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This form available in Spanish

ARCHIVO DE ENTRENAMIENTO DE PESTICIDAS

PARA CAMPESINOS

NOMBRE DEL PATRON: _____ FECHA: _____

NOMBRE DEL INSTRUCTOR: _____

CALIFICACIONES DEL INSTRUCTOR: _____

Síntomas de envenenamiento: Pupilas muy pequeñas, náuseas, vértigo, dolor de cabeza, visión borrosa, respiración breve. Modo en envenenamiento o lesión puede ocurrir.		Localización de Serie de Información de Seguridad con Pesticidas (PSIS) o hojas de seguridad de producto (MSDS) , archivos de aplicaciones de pesticidas, letreros de seguridad, y intervalos restringidos de reingreso (REI).	
Lave las manos y brazos con agua y jabón: Antes de comer, beber, fumar y ir al baño. Técnicas de emergencia para enjuagarse los ojos.		La necesidad para descontaminación inmediatamente de la piel y los ojos cuando sucede exposición.	
Lavarse completamente al fin del día de trabajo: Cambiarse a ropa limpia.		Derechos del empleado: contra descarga, discriminación y derechos de recibir información.	
Use ropa de trabajo limpia diariamente. Darse cuenta de residuos de pesticidas en su ropa.		Rutas a través como pesticidas pueden entrar al cuerpo: boca, piel, ojos, inhalación.	
Entendimiento de los peligros del uso de pesticidas inmediatos y de largo plazo; los efectos sospechosos o conocidos agudos o crónicos.		Prevención, reconocimiento, primeros auxilios y tratamiento de enfermedad relacionada al calor.	
Donde buscar atención medica en emergencia: Nombre, domicilio, número de teléfono de la clínica, doctor, o cuarto de emergencia del hospital.		Intervalos de entrada restringidos (REI) y letreros de REI. No entre a una área tratada.	
Nunca se lleve envases de pesticidas usadas en su trabajo para su casa.			

Escriba su Nombre en Letra de Molde

Firma

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The Following Table provides examples of acceptable eye protection PPE:

Labeling Statement	Acceptable PPE	Examples
Protective Eyewear OR Safety Glasses	Shielded Safety glasses; or Face Shield; or Goggles; or Full-Face Respirator	Safety Glasses with supplemental brow and temple protection that are ANSI Z87.1 approved. 
Goggles	Goggles; Face Shield or Full-Face Respirator	Goggles-ANSI Z87.1 approved. 
Face Shield	Face Shield; or Full-Face Respirator	Face Shield-ANSI Z87.1 approved. 
Full-Face Respirator	Full-Face Respirator	Full-Face Respirator- NIOSH approved. 



Glove Category Selection Key

Label Code	Materials Required by Law	Material Code
A	1,2,3,4,5,6,7,8	1: Laminate
B	1,2	2: Butyl
C	1,2,3,4,7,8	3: Nitrile
D	1,2	4: Neoprene
E	1,3,4,8	5: Natural
F	1,2,3,8	6: Polyethylene
G	1,8	7: PVC
H	1,8	8: Viton

All but Laminate and Polyethylene must be 14 mils or thicker