

# DPR LAWS AND REGULATIONS UPDATES

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**November 2, 2023**

# Laws and Regulations Updates

- ▣ Handler Training, Title 3 California Code of Regulations (3CCR) section 6724
- ▣ Certification of Pesticide Applicators
- ▣ Limiting Neonicotinoid Product Use on Food and Feed Crops 3CCR § 6990- 6990.16
- ▣ Use of Carbon Monoxide Pest Control Devices, 3CCR § 6695;

# Guidelines for Establishing a Pesticide Handlers Training Program Compliant with the Title 3 CCR § 6724



# Definition of Handler

- ▣ “Handler” means:
  - Mixing, loading, transferring or applying any pesticides
  - Assisting with any pesticide applications
  - Maintaining, servicing, repairing, cleaning or handling application equipment
  - Working with opened containers of pesticides





# Organization of 3CCR § 6724

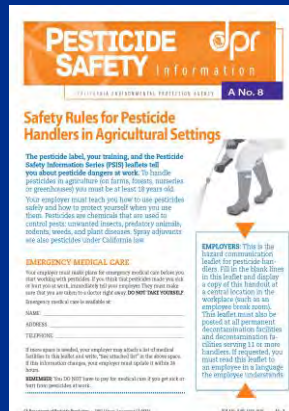
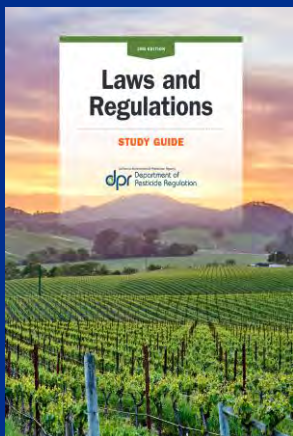
- ▣ Written Training Program
- ▣ Format/Meaning of Label
- ▣ Applicator Responsibility
- ▣ PPE Requirements
- ▣ Safety Requirements/Procedures
- ▣ Residues and Drift
- ▣ Hazards of Pesticides
- ▣ Routes of Exposure
- ▣ Signs and Symptoms
- ▣ Routine Decontamination
- ▣ SDS/Pesticide Hazard Communication
- ▣ Medical Supervision
- ▣ First Aid/Emergency Decon.
- ▣ Emergency Medical Care
- ▣ Heat-Related Illness
- ▣ Regulations, SDS, PSIS
- ▣ 18 years of Age Requirements\*
- ▣ Environmental Concerns
- ▣ Field Postings/REIs
- ▣ Taking Pesticides Home
- ▣ Preventing Family Exposure
- ▣ Reporting Violations
- ▣ Identification of Fed/CA Restricted Materials, Use by Certified Applicator, Direct Supervision\*
- ▣ Use of Restricted Materials by noncertified applicator\*
- ▣ Employee's Rights
- ▣ Training Requirements

*\*New regulations will be effective on January 1, 2024.*

# Handler Training

## What materials are required?

- Study Guides (commercially or publicly produced)
- Pamphlets (available from County Ag Commissioner (CAC) or Extension Office)
- Pesticide Labeling (available from manufacturer)
- Pesticide Safety Information Series (PSIS) (available from CAC or DPR)
- Safety Data Sheets (available from distributor/manufacturer)
- Multimedia (slides, video discs, commercially available)



# Written Training Program

## Pesticide Training Employer's Written Handler Training Program Pursuant to 3 CCR section 6724

(Name of Employer)

Name of Firm or Person Providing Training:

Note: For the commercial or research production of an agricultural plant commodity, the employer must assure the trainer is one of the following at the time of training (trainer licenses or certificates must be valid):

- A California certified applicator (commercial or private) or Agricultural Pest Control Adviser
- A County Biologist License in Pesticide Regulation or Investigation and Environmental Monitoring
- A University of California Extension Advisor
- A person who has completed non "instructor training" program
- A California Registered Professional Forester
- Other trainer qualification approved by DPR

### Training Materials:

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

1 \_\_\_\_\_

2 \_\_\_\_\_

3 \_\_\_\_\_

4 \_\_\_\_\_

5 \_\_\_\_\_

(Attach additional pages if necessary)

### Circle Pesticide Safety Information Series (PSIS) Leaflets Used:

A-1 A-2 A-3 A-4 A-5 A-6 A-7 A-8 A-9 A-10  
N-1 N-2 N-3 N-4 N-5 N-6 N-7 N-8

### Pesticide product labeling and Safety Data Sheets (SDSs) as noted below:

Product Name	Labeling?	SDS
1 _____	Yes / No	Yes / No
2 _____	Yes / No	Yes / No
3 _____	Yes / No	Yes / No
4 _____	Yes / No	Yes / No
5 _____	Yes / No	Yes / No
6 _____	Yes / No	Yes / No
7 _____	Yes / No	Yes / No
8 _____	Yes / No	Yes / No
9 _____	Yes / No	Yes / No
10 _____	Yes / No	Yes / No
11 _____	Yes / No	Yes / No

(Attach additional pages if necessary)

(Circle Yes or No)

Continued on next page

(Rev. 6/2018)

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## Pesticide Training Employer's Written Handler Training Program (continued) Pursuant to 3 CCR section 6724

(Name of Employer)

This WRITTEN PROGRAM went into effect on (date): \_\_\_\_\_

This WRITTEN PROGRAM was retired on (date): \_\_\_\_\_

- A copy of the training program must be maintained while in use and for two years after use, at a central location at the workplace.
- Employee training shall be in a manner the employee can understand, be conducted pursuant to this written training program, and include response to questions.
- Training shall be completed before the employee is allowed to handle pesticides, continually updated to cover any new pesticides that will be handled or training topics to be covered, and repeated at least annually thereafter.
- 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.

The following topics are applicable to my employees handling pesticides and are covered in initial and annual training for each pesticide or chemically-similar group of pesticides handled:

Circle if applicable	Training Topic
Yes No	Format and meaning of information, such as precautionary statements about human health hazards, contained in pesticide product labeling
Yes No	Applicator's responsibility to protect persons, animals, and property while applying pesticides, and not to apply pesticides in a manner that results in contact with persons not involved in the application process
Yes No	Need for, limitations, appropriate use, removal, and sanitation of any required personal protective equipment
Yes No	Safety requirements and procedures, including engineering controls (such as closed mixing systems and enclosed cabs) for handling, transporting, storing, disposing of pesticides, and spill clean-up
Yes No	Where and in what forms pesticides may be encountered, including treated surfaces, residues on clothing, personal protective equipment, application equipment, and drift
Yes No	Hazards of pesticides, including acute, chronic, and delayed effects, and sensitization effects, as identified in pesticide product labeling, Safety Data Sheets, or Pesticide Safety Information Series leaflets
Yes No	Routes by which pesticides can enter the body
Yes No	Signs and symptoms of overexposure
Yes No	Routine decontamination procedures when handling pesticides, including that employees should:
Yes No	A. Wash hands before eating, drinking, using the toilet, chewing gum, or using tobacco;
Yes No	B. Thoroughly wash or shower with soap and water;
Yes No	C. Change into clean clothes as soon as possible; and
Yes No	D. Wash work clothes separately from other laundry before wearing them again.

(Rev. 6/2018)

Continued on next page

## Pesticide Training Employer's Written Handler Training Program (continued) Pursuant to 3 CCR section 6724

(Name of Employer)

**Training Topic**

How Safety Data Sheets provide hazard, emergency medical treatment, and other information about the pesticides with which employees may come in contact

The hazard communication program requirements of section 6723

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

First aid and emergency decontamination procedures and emergency eye flushing techniques; and if pesticides are spilled or sprayed on the body to wash immediately with decontamination supplies and as soon as possible, wash or shower with soap and water and change into clean clothes

How and when to obtain emergency medical care

Prevention, recognition, and first aid for heat-related illness in accordance with Title 8 of the California Code of Regulations, section 3395

Requirements of Title 3, California Code of Regulations, Division 6, Chapters 3 and 4 relating to pesticide safety, Safety Data Sheets, and Pesticide Safety Information Series leaflets

The requirement that handlers of pesticides used in the commercial or research production of an agricultural commodity must be at least 18 years of age

Environmental concerns such as drift, runoff, and wildlife hazards

Field posting requirements and restricted entry intervals when pesticides are applied for the commercial or research production of an agricultural commodity

That employees should not take pesticides or pesticide containers home from work

Potential hazards to children and pregnant women from pesticide exposures, including:

A. Keeping children and nonworking family members away from treated areas;

B. After handling pesticides, employees should remove boots or shoes before entering the home and remove work clothes; and

C. Employees should wash or shower before physical contact with children or family members.

How to report suspected pesticide use violations

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 an employee representative designated in writing to receive information about pesticides to which he or she may be exposed;

C. To be protected against retaliatory action due to the exercise of any of his or her rights; and

D. To report suspected use violations to the Department or county agricultural commissioner.

# Meaning of Label

▣ What information is required?

The training shall cover for each pesticide or chemically similar group of pesticides to be used.



# Use Category

## ▣ *Restricted Use*

- ▣ Only available for use by certified applicators or persons under their direct supervision.

*Federally Restricted: Noted on label*

### CALIFORNIA RESTRICTED MATERIALS REQUIREMENTS

#### A FEDERAL RESTRICTED USE PESTICIDES

(Included by reference as California Restricted Materials)

Pesticides display the RESTRICTED USE PESTICIDE (RUP) statement on the pesticide container similar to the statement shown here. RUPs require an RUP statement enclosed in a box, at the top of the front panel of the label.

#### RESTRICTED USE PESTICIDE

DUE TO (reason for restricted use classification)

For retail sale to and use only by Certified Applicators or persons under their direct supervision and only for those uses covered by the Certified Applicator's certification.

Some product labels require a Certified Applicator be "physically present" at the use site.

#### B CALIFORNIA RESTRICTED MATERIALS

This section is written in a quick reference format; refer to Title 3, California Code of Regulations (3 CCR) section 6400 for complete text.

Acrolein, labeled for use as an aquatic herbicide	Chlorpyrifos, labeled for the production of an agricultural commodity	Metam sodium, labeled for the production of agricultural plant commodities	Potassium n-methyldithiocarbamate (metam-potassium), labeled for the production of agricultural plant commodities
Aldicarb – unregistered	Diazomet, labeled for the production of agricultural plant commodities	Methamidophos – unregistered	Propanil (3,4-dichloropropionanilide)
All dust (except products containing only exempt pesticides)**	Dicamba*	Methidathion	Sodium cyanide
Aluminum phosphide	2,4-dichlorophenoxyacetic acid (2,4-D)*	Methomyl*	Sodium fluoroacetate (compound 1080) – unregistered
Any pesticide containing active ingredients listed under section 6800(a), labeled for agricultural, outdoor institutional, or outdoor industrial use	2,4-dichlorophenoxybutyric acid (2,4-DB)*	Methyl bromide	Sodium tetrathiocarbonate – unregistered
Any pesticide pursuant to Section 18 of FIFRA (Emergency exemption)	2,4-dichlorophenoxypropionic acid (2,4-DP)*	2-methyl-4-chlorophenoxyacetic acid (MCPA)*	Strychnine**
4-Amino pyridine	1,3-Dichloropropene (1,3-D)	Methyl iodide – unregistered	Sulfotep – unregistered
Azinphos-methyl – unregistered	Difluralen	Methyl isothiocyanate (MITC), labeled for the production of agricultural plant commodities	Sulfuryl fluoride
Brodifacoum	Disulfoton** – unregistered	Mevinphos – unregistered	Thiobencarb
Bromadiolone	Endosulfan**	Molinate – unregistered	Tribufos
Calcium cyanide – unregistered	Ethion, labeled for turf	Oxydemeton-methyl	Tributyltin, organotin, or a tri-organotin compound formulated as an antifouling paint, coating, or compound and labeled for the control of fouling organisms in an aquatic environment
Carbaryl**	Fenamiphos – unregistered	Paraquat	Zinc phosphide**
Carbofuran – unregistered	Lindane** – unregistered	Parathion-methyl – unregistered	
Chloropicrin	Magnesium phosphide	Phorate	
3-Chloro-p-toluidine hydrochloride		Phosphine gas	

### RESTRICTED USE PESTICIDE

TOXIC TO FISH, MAMMALS, AND AQUATIC ORGANISMS

FOR RETAIL SALE TO AND USE ONLY BY CERTIFIED APPLICATORS OR PERSONS UNDER THEIR DIRECT SUPERVISION, AND ONLY FOR THOSE USES COVERED BY THE CERTIFIED APPLICATOR'S CERTIFICATION.

GROUP 6 INSECTICIDE

**Epi-mek**  
0.15 EC

*California Restricted Materials*

# True or False

1. The pesticide label is the law.

**TRUE**

2. Federally Restricted pesticides are also considered California Restricted Materials.

**FALSE**

3. 3CCR section 6724 requires training for both handlers and fieldworkers.

**FALSE**

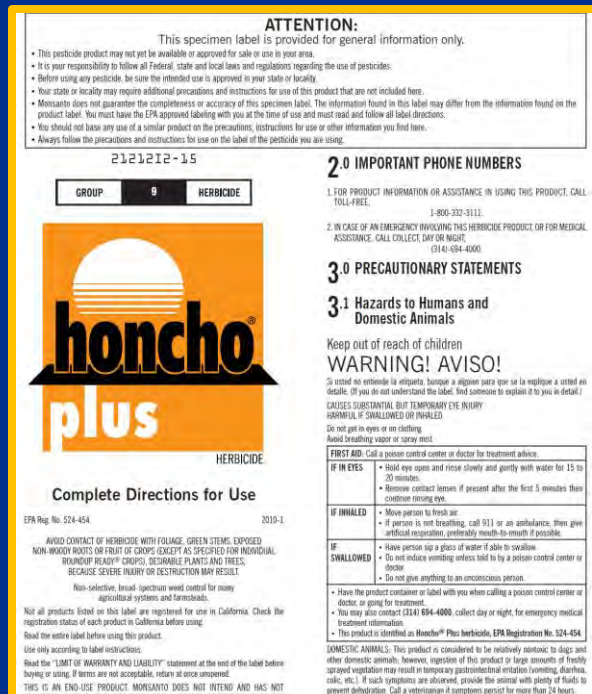
# Label: Precautionary Statements

- ▣ Location of human hazard information and appropriate PPE to be worn when handling the pesticide material.
- ▣ May also contain information on environmental hazards and specific physical and chemical hazards (fire, explosive, volatility, etc.)



# Personal Protective Equipment (PPE)

- Selection for pesticide users PPE is based on both label requirements and California regulatory requirements.



## Personal Protective Equipment (PPE)

**Applicators and other handlers must wear:** long-sleeved shirt and long pants, shoes plus socks, and protective eyewear. Follow manufacturer's instructions for cleaning/maintaining PPE. If no such instructions for washables exist, use detergent and hot water. Keep and wash PPE separately from other laundry.

California Department of Pesticide Regulation

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- CA Code of Regulations
- Proposed and Recently Adopted Regulations
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**California Code of Regulations (Title 3. Food and Agriculture)**  
**Division 6. Pesticides and Pest Control Operations**

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**Division 6. Pesticide and Pest Control Operations**

Chapter 1. Pesticide Regulatory Program	Section number
Subchapter 1 Definition of Terms	Section 6000
Subchapter 2 Program Certification	Section 6100-6122
Subchapter 3 Agricultural Commissioner Penalties	Section 6128-6130
Subchapter 4 Inspection and Investigation Procedures	Section 6140-6141
Subchapter 5 Sunset Review of Regulations	Section 6142

Chapter 2. Pesticides	Section number
Subchapter 1 Pesticide Registration	Section 6145-6302





# Personal Protective Equipment (PPE)

## ▣ Appropriate Use

- Proper body protection (cotton coveralls vs. chemical-resistant coveralls vs. rainsuit vs. chemical resistant apron)
- Proper gloves (neoprene, nitrile, rubber, and under certain conditions leather)
- Proper boots/shoes
- Protective eyewear (ANSI Z87.1-2010)
- Correct respirator selection (TC-84A particulates, TC-23C for organic vapor, SCBA for most fumigants)

### dpr 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.





# Personal Protective Equipment (PPE)

- ❑ Sanitation: Equipment must be cleaned and sanitized before using.
- ❑ Review Title 3 CCR section 6738, PPE



***PPE MUST BE WASHED  
SEPARATELY FROM  
OTHER CLOTHING.***



# True or False

1. Handler training is required every two years.

**FALSE**

2. Regulations PPE does not apply to employees who handle pesticides.

**FALSE**

3. Pesticide labeling PPE does not apply to the property operator or owner.

**FALSE**



# Pesticide Storage

- ▣ Information on proper storage
- ▣ No temperature extremes
- ▣ Store in a tightly closed container
- ▣ Do not contaminate with water, food or feed



# CERTIFICATION OF PESTICIDE APPLICATORS-NEW REGULATIONS



**Pest Control Business (PCB) Licensed,  
Food and Agricultural Code (FAC) § 11701**

Business performing pest control for another person for any compensation and includes soliciting and advertising for pest control work.



A pest control business license must be obtained and issued by the Department of Pesticide Regulation (DPR).





# PCB Registered in County, FAC § 11732

Before any pest control work is conducted, the PCB must register with county agricultural commissioner in each county where pest control work will be performed for the current calendar year.

<b>PEST CONTROL BUSINESS COUNTY REGISTRATION</b>		STATE OF CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION PEST MANAGEMENT AND TRAINING BRANCH	
LIC. EFFECTIVE DATE _____	LIC. EXPIRATION DATE _____	<b>REGISTRATION EXPIRATION DATE: DECEMBER 31, _____</b> <small>(FOR REGISTRATION IN COUNTY) _____</small>	
(QAL) PCO LICENSE NUMBER _____	CATEGORIES _____	BUSINESS LOCATION <small>MAIN _____ BRANCH _____</small>	
NAME _____		BUSINESS NAME _____	
ADDRESS _____		BUS. LIC. # _____	
CITY _____ STATE _____ ZIP CODE _____		ADDRESS _____	
 <b>PEST CONTROL CARD INFORMATION AREA</b> <small>(ATTACH COPY OF PEST CONTROL BUSINESS LICENSE)</small>		CITY _____ STATE _____ ZIP _____	
<b>REGISTRATION FEE RECEIVED \$ _____</b>		BUS. PHONE # _____	
		EMAIL ADDRESS _____	
		QAL SIGNATURE _____ DATE _____	
		Restricted Material(s) Possession Permit _____ CONDITION(S) ATTACHED _____	
		No. _____ YES NO	
		AGRICULTURAL COMMISSIONER'S SIGNATURE _____ DATE _____	

[illegible]



# Commercial Applicator Categories

Question: What is the commercial applicator category for individuals who apply restricted and general use pesticides *for hire* in following setting:

- Residential areas and around households and immediate environments
- Industrial Establishments-packinghouses, food manufacturing and processing plants, warehouses, grain elevators and factories
- Stored or post-harvest commodity fumigations at facilities or on trucks, vans or railcars;
- Institutions-schools, hospitals, libraries, auditoriums and office buildings

Answer: Residential, Industrial, & Institutional – Category A

# Commercial Applicator Categories

Question: What is the commercial applicator category for individuals who apply restricted and general use pesticides *for hire* in following setting:

- Residential yards , recreation areas, schoolyards,
- greenbelts, golf courses, cemeteries, parks, landscaped street medians,
- sidewalk areas and walkways, and parking lots directly related to landscaped areas

Answer: Landscape Maintenance – Category B

Question: What is the commercial applicator category for individuals who apply restricted and general use pesticides *for hire* in following setting:

- Production of food, feed, fiber, or ornamental crops.
- Grasslands and non-crop agricultural areas.

Answer: Plant Agriculture – Category D

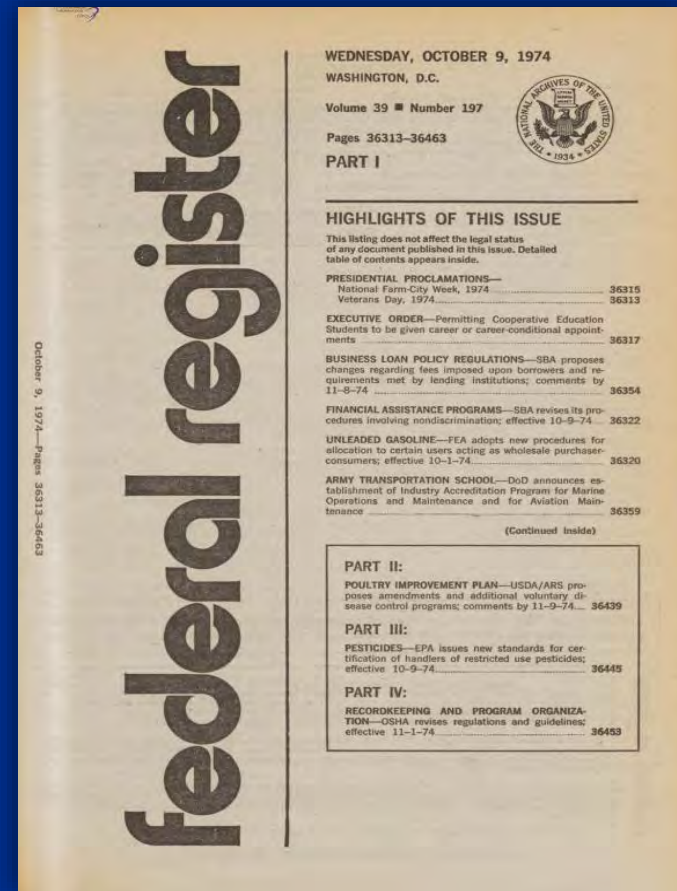
# Commercial Applicator Categories ?





# Certification of Pesticide Applicators- New Regulations

- ▣ Original Title 40, Code of Federal Regulations Part 171 (40 CFR Part 171) was published by U.S. EPA on October 9, 1974.
- ▣ In 2017, U.S. EPA revised 40 CFR Part 171.
  - Revisions set stronger standards for people who use and supervise the use of restricted use pesticides (RUPs).





# Certification of Pesticide Applicators- New Regulations

- ❑ California must meet the revised standards of 40 CFR Part 171 set by U.S. EPA.
- ❑ Due to the state's unique regulatory framework, the revisions to 40 CFR Part 171 impact users of both Restricted Materials which include restricted use pesticides, as well as general use pesticides.



# Certification of Pesticide Applicators- New Regulations

As a result of the recent regulation changes, DPR has implement these required changes in the California Code of Regulations (CCR):

1. New Commercial Applicator Fumigant Categories
2. Elimination of Existing Subcategories
3. Expansion of Private Applicator Competencies
4. New Private Applicator Burrowing Vertebrate Pest Fumigation Certificate
5. Revision to 3CCR Definition of *'Householder'*
6. Minimum Age Requirements
7. Improved Standards for Direct Supervision of Noncertified Applicators and Handler Training

# Commercial Applicator Fumigation Categories

## 1. New Commercial Applicator Fumigant Categories:

### ▣ Soil Fumigation – **Category L**

- For individuals who perform pest control using a *pesticide labeled as a fumigant* to:
  - ▣ Control soil pests in sites including fields, forests, greenhouses, and individual tree or vine hole sites
  - ▣ Does not include the use of non-soil fumigant products





# Commercial Applicator Fumigation Categories

## 1. New Commercial Applicator Fumigant Categories:

### ▣ Non-Soil Fumigation – **Category M**

- For individuals who perform pest control using a *pesticide labeled as a fumigant* to:
  - Fumigate enclosed areas.
  - Fumigate pest burrows in sites including, but not limited to fields, rights-of-way, ditches, landscaping, and equipment yards.
  - Fumigate sewer lines, in-service utility poles, or other fumigations not covered by the new Category L – Soil Fumigation.



*New regulations will be effective on January 1, 2024.*

# Certification of Pesticide Applicators- New Regulations

## 2. Elimination of Existing Subcategories

- ❑ Sewer Line Root Control- Subcategory N
- ❑ Wood Preservation- Subcategory L
- ❑ Anti-fouling Tributyltin- Subcategory M
- ❑ Microbial Pest Control- Subcategory P
- ❑ Field Fumigation- Subcategory O

*New regulations will be effective on January 1, 2024.*

# Certification of Pesticide Applicators- New Regulations

## 3. Expansion of Private Applicator Competencies

- ▣ Expanded competency standards for the Private Applicator Certificate (PAC) examination
- ▣ All existing PAC holders must take and pass a revised PAC (initial) examination
  - Includes the revised competencies
  - Prior to the expiration of their certificate



# Certification of Pesticide Applicators- New Regulations

## 4. New Private Applicator Burrowing Vertebrate Pest Fumigation Certificate

- ▣ Private applicators using fumigants must be certified in fumigant use
- ▣ Certificate option allows PAC holders to use fumigants labeled for the control of burrowing vertebrate pests
- ▣ All other fumigant activities will require a private applicator to obtain a commercial applicator certification in the appropriate category (ies) (i.e. non-soil or soil fumigation)

# Certification of Pesticide Applicators- New Regulations

## 5. Revision to 3CCR Definition of *'Householder'*

- ▣ Definition of 'Householder' is being removed from the 3CCR 6000 private applicator definition.
- ▣ Individuals who currently conduct 'householder' activities under a private applicator certificate will be required to obtain a commercial applicator license or certificate with the appropriate category (ies).



# Certification of Pesticide Applicators- Regulations Update

## 6. Minimum Age Requirements

- ▣ Applicants for a commercial or private license or certificate must be a minimum age of 18 years old.
- ▣ Anyone under 18 years old cannot be allowed to handle a pesticide identified as a restricted material.





# Certification of Pesticide Applicators- New Regulations

## 7. Improved Standards for Direct Supervision of Noncertified Applicators and Handler Training

- ▣ Increased responsibility of commercial applicators supervising noncertified applicators.
- ▣ Increased handler training requirements.



# **LIMITING NEONICOTINOID PRODUCT USE ON FOOD AND FEED CROPS- 3CCR § 6990- 6990.16**



# Limiting Neonicotinoid Product Use on Food and Feed Crops

- Apply to soil and foliar applications of products containing the neonicotinoid active ingredients: clothianidin, dinotefuran, imidacloprid, and thiamethoxam.
- Does not apply to neonicotinoid use in non-agricultural (e.g., structural or home use) or non-production agricultural (e.g., parks, cemeteries) settings, applications to nursery stock, or seed treatment applications.
- New regulations protect pollinators by reducing the amount of neonicotinoid active ingredients that can be applied to most food and feed crops through application method and rate restrictions, application timing, restrictions, and seasonal application rate caps.
- In addition to any requirements found on neonicotinoid pesticide product labeling.
- To view the adopted regulation text, see DPR's website at <https://www.cdpr.ca.gov/docs/legbills/rulepkgs/22-001/22-001.htm>.



*New regulations are effective January 1, 2024*





# Limiting Neonicotinoid Product Use on Food and Feed Crops

Some highlights of the new Neonicotinoid Pesticide Exposure Protection regulations include:

- ▣ For most crops “bloom” is defined as the period from the onset of flowering until petal fall is complete.
- ▣ Neonicotinoid use on food and feed crops covered by the regulations is prohibited during bloom.
- ▣ The food and feed crops are arranged according to the Crop Group tables [Title 40 Code of Federal Regulations section 180.41(c)]. Growers and Pest Control Advisers (PCAs) should be familiar with the approach because the use sites on many pesticide labels are organized by the crop groupings.
- ▣ Certain neonicotinoid applications are exempt from the regulations, including those:
  - in enclosed spaces or insect exclusionary structures/netting,
  - to control a quarantine pest (if the grower obtains a written recommendation), or
  - under a FIFRA Section 18 Emergency Exemption.

# Limiting Neonicotinoid Product Use on Food and Feed Crops



- ▣ Crops normally harvested before bloom (e.g., artichoke, basil, broccoli, celery, garlic, kale, lettuce, spinach) are not subject to the regulations. If they are instead harvested after bloom (e.g., grown for seed), the use of a neonicotinoid is prohibited.
  
- ▣ Crops normally harvested after bloom (e.g., almond, apple, bean, cherry, corn, cucumber, grape, lemon, orange, peach, potato, pumpkin, raspberry, tomato, walnut) have:
  - Additional use restrictions if multiple neonicotinoid active ingredients or both soil and foliar application methods are used on the crop during the growing season,
  - Additional use restrictions if managed pollinators will be used with the crop during the growing season, and
  - Additional use restrictions for certain crops.



# Limiting Neonicotinoid Product Use on Food and Feed Crops

- ▣ There are other crops where DPR was unable to determine the combinations of application rates and timings that are safe or low risk to pollinators (e.g., avocado, date, fig, olive, pomegranate, prickly pear fruit, and coffee and peanuts). For these crops:
  - Only one neonicotinoid active ingredient is permitted per growing season,
  - Only one application method (soil or foliar) is permitted per growing season, and
  - If managed pollinators will be used with the crop, neonicotinoid use is prohibited.
  
- ▣ In some cases, one or more crops within a Crop Group will be exempt from the regulations. For example, within the Berries and Small Fruits Crop Group mulberries are listed as exempt from the regulations.



# CARBON MONOXIDE PEST CONTROL DEVICES REGULATION, 3CCR § 6695





# Carbon Monoxide (CO) Pest Control Devices Regulation, 3CCR § 6695

- ▣ DPR adopted 3CCR section 6695 to regulate the use of CO pest control devices as directed by FAC section 14161.
- ▣ **Effective on October 1, 2022.**
- ▣ CO pest control devices must be federally registered that bears the U.S. EPA Establishment Number of the establishment in which it was manufactured.
- ▣ Prohibits CO pest control devices from being used inside any structure inhabited by people or livestock whether occupied or not.

# Carbon Monoxide (CO) Pest Control Devices Regulation, 3CCR § 6695

- ❑ Prohibits the use of CO pest control devices from being used on a burrow opening within a certain distance of a structure inhabited by people or livestock whether occupied or not. The distance shall be:
  - ❑ 50 feet- Control of ground squirrel or field mice;
  - ❑ 100 feet- Control of gophers; or
  - ❑ 65 feet- Control of all other burrowing rodent pests.
- ❑ Prohibits the use of CO pest control devices on a burrow opening known or believed to contain non-target vertebrate animals.
- ❑ Prohibits the use of CO pest control devices for purposes other than to control for burrowing rodent pests.

# Carbon Monoxide (CO) Pest Control Devices Regulation, 3CCR § 6695

- ☐ Whenever an employee operates a carbon monoxide pest control device to perform pest control for hire or for a local government, including a city, county, city and county, school district, park district, authority, or any other political subdivision of the state, the employer shall:
  - ☐ Ensure that the employee wears protective eyewear that complies with the American National Standard for Occupational and Education Personal Eye and Face Protection Devices ANSI Z87.1-2020 while the device is in use.



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- ❑ Retain records of the use of the CO pest control device for 2 years and make those records available to the Director or commissioner upon request.
- ❑ Records must include:
  1. Date the device was used;
  2. Name of the operator of the property treated;
  3. Address of where the device was used;
  4. Site at which the device was used;
  5. Length of time the device was operated for every treatment.





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- ❑ Immediately submit to the Director factual or scientific information showing any adverse effect to human health or safety, property, or the environment, from the use of the CO pest control device.



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- ▣ The regulation is intended to ensure that carbon monoxide devices are used in a safe and effective manner.
- ▣ The regulation added requirements for employers and prohibitions around sensitive areas.

# Carbon Monoxide (CO) Pest Control Devices Requirements

Carbon monoxide may be used for the control of burrowing rodent pests, provided the following conditions are met:

- ❑ The carbon monoxide delivery device shall be permanently affixed with a warning label in plain view of the operator that includes, at a minimum, the following information:

***DANGER:*** Carbon monoxide is a poisonous gas that is odorless and colorless. Exposure to carbon monoxide can kill within minutes. Never use in structures inhabited by humans or livestock. The device must be used in accordance with all existing laws and regulations including Chapter 1.5 (commencing with Section 2050) of Division 3 of, known as the California Endangered Species Act, and Sections 4002 and 4003 of, the Fish and Game Code.



# What have we learned today?

Question: What is the commercial applicator category for individuals who apply Aluminum Phosphide in a park setting to control gophers for hire for the current year 2023?

Answer: Category B

Question: What is the commercial applicator category for individuals who apply Aluminum Phosphide in a park setting to control gophers for hire effective January 1, 2024?

Answer: Category M





# ANY QUESTIONS?

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<https://www.cdpr.ca.gov/>



# THANK YOU !

