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## Imperial County Summary of Production Agriculture Pesticide Regulations

Effective July 1, 2024 to June 30, 2025

### Records That Property Operators/Growers Must Maintain

(3CCR 6618, 6619, 6623-6627, 6723, 6723.1, 6724, 6728, 6739, 6761.1, 6764)

- Restricted Materials Permit (RMP) or Operator ID form, maps, and supplements (two years).
- Pesticide use records for all pesticides applied for two years, including:
  - Date and time the application started and ended;
  - Name of the property operator;
  - Operator identification number or restricted materials permit number;
  - Site identification number of the property treated;
  - Location of the property treated, by county, section, township, range, base and meridian;
  - Crop commodity or site treated;
  - Total acreage or units planted at the site;
  - Total acreage or units treated at the site;
  - Name(s) of the pesticide(s) applied, EPA or CA registration number(s) as listed on the product label(s), active ingredient(s), and amount(s) used;
  - Method of application;
  - Applicable reentry and pre-harvest intervals;
  - For an application of 1,3-Dichloropropene, the field fumigation method code referenced in “1,3-Dichloropropene Field Fumigation Requirements, est. January 1, 2024”;
  - If applied by a PCB, the name or identity of the person(s) who made and supervised the application; and
  - If applied by a PCB, the records must be maintained by site.
- In addition to the above, for all federal or California restricted use pesticides used by or under the supervision of a certified commercial applicator:
  - The certified commercial applicator’s name and license or certificate number;
  - The name of any non-certified applicator(s) using the product under supervision; and
  - Physical address where non-certified applicator training records are kept.
- Pesticide Safety Information Series (“PSIS”), if you have employees handling pesticides or entering treated fields.
- Safety Data Sheets (“SDS”) for all pesticides applied to your property.
- Training records for handlers and fieldworkers for two years. Medical supervision records for employees handling signal word “Warning” or “Danger” organophosphate or carbamate pesticides for three years. Respiratory protection program records for three years. (See below.)



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### Records That Property Operators/Growers Must Submit

(3CCR 6624, 6626, and 6627):

- Notice of Intent – 24 hours prior to the application of California restricted materials.
- Pesticide use reports for the grower application of any pesticide by the 10th day of the month following the application:
  - One report for pesticides used for production agriculture, and
  - One report for pesticides used for non-production ag (ditchbanks, rights-of-way, etc.)
- “Pesticide” includes any substance used for defoliating plants, for regulating plant growth, for preventing, destroying, repelling, or mitigating any pest (insecticides, herbicides, fungicides, miticides, etc.), sanitizers and antimicrobials, organic pesticides, as well as spray adjuvants.

### Field Worker Safety Requirements (for any employee entering a field treated within the previous 30 days)

(3CCR 6618, 6761-6776)

- Property operators must have a method of informing employees or other contractors who may be entering a field or working within one-quarter (1/4) mile of a field of ongoing applications or active restricted entry intervals (“REI”).
- Complete and central location display of PSIS A-9 (Hazard Communication) at work site.
- Display application-specific information at a central location with unimpeded access during hours of fieldworker operation. This information should include the crop or site treated; the site ID; date(s) and time(s) application started and ended; any REI; product name(s), active ingredient(s), and EPA/CA registration number(s); and a copy of the SDS for each pesticide.
- Do not allow any person, other than those making the pesticide application, to enter or remain in a treated area during an application.
- Fieldworker training – ensure that all employees working in a treated field have been trained within the previous 12 months. Training requirements of 6764 frequently change, and training material must be updated.
- Plan for emergency medical care in advance and post the location of emergency medical facilities at the work location. Any person who is ill or reasonably may become ill due to a pesticide exposure must be taken to a physician immediately.
- Provide fieldworker decontamination facilities within one-quarter (1/4) mile of the workers, including soap, water (at least one gallon per employee), and single use towels.
- Comply with pesticide REI/or early entry requirements.
- Comply with pesticide warning and posting requirements as specified on the label and in 3CCR 6776. Posting is required for all products whose REI exceeds 48 hours.



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### Training Requirements for Employee Handlers

(3CCR 6724)

- Training must 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.
- Employees must be trained for each type of pesticide they handle.
- Written training records must be kept for each employee for two years and must include:
  - Date and extent of initial and annual training;
  - The job to be assigned to the employee;
  - Employee's printed name and signature;
  - Title(s) and source(s) of training materials used;
  - Employer's name; and
  - Trainer's name and qualifications.
- Certified Trainer – must be qualified as a CA certified Train-the-Trainer, PAC, QAL, QAC, PCA, UCCE Farm Advisor, or other qualification approved by Director.
- Completed and centrally displayed PSIS A-8 (Hazard Communication).
- You must maintain a written training program for employees that handle pesticides.
- A copy of the written program must be maintained while in use and for two years after use.
- The written program must identify the individual or firm that will provide the training.
- The written training program must specifically address (and the PSIS covers most of this):
  - Format and meaning of information contained in pesticide product labeling.
  - Applicator's responsibility to protect persons, animals, and property.
  - Need for, limitations, appropriate use, and sanitation of personal protective equipment.
  - Safety requirements and procedures, including the use of engineering controls, for handling, transporting, storing, and disposing of pesticides, and spill clean-up.
  - Where and in what form pesticides may be encountered (treated surfaces, residues on clothing/PPE/application equipment, and drift).
  - Hazards of pesticides as identified in product labeling, SDS, or PSIS.
  - Routes by which pesticides can enter the body.
  - Signs and symptoms of overexposure.
  - Routine decontamination procedures (hand washing before eating, drinking, using the restroom, etc.; wash or shower with soap and water; change into clean clothes as soon as possible; wash clothes separately from other laundry; etc.).



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- How a pesticide SDS contains information on hazards, emergency medical treatment, and other information.
- The location of the written hazard communication information for employees handling pesticides (PSIS A-8), other PSIS, and SDS.
- The purposes and requirements for medical supervision, and documentation, when handling signal word “Warning” or “Danger” organophosphates or carbamates.
- Emergency first aid and decontamination, including eye flushing for pesticide exposure.
- How and when to obtain emergency medical care.
- Heat-related illness prevention, recognition, and first aid training in accordance with 8CCR section 3395.
- Requirements of the California Code of Regulations pertaining to pest control operations and environmental protection concerning pesticide safety, SDS, and PSIS.
- Handlers must be at least 18 years old.
- Environmental concerns such as drift, runoff, and wildlife hazards.
- Field posting requirements and REIs.
- Employees should not take pesticides or containers home.
- Potential hazards to children and pregnant women. Handlers should remove boots or shoes before entering the home and decontaminate prior to coming into contact with family members.
- How to report pesticide use violations.
- How to identify if a product is a federal Restricted Use Pesticide or a California restricted material, and that these products should only be used by or under the direct supervision of a certified applicator.
- When a non-certified applicator uses a federal Restricted Use Pesticide or a California restricted material, the training must also cover:
  - Where identify on the label if a certified applicator must be physically present during the use of the pesticide.
  - Certified applicator responsibility to provide site- and pesticide-specific instructions including product label directions, precautions, and requirements, and how site characteristics and conditions may affect risk of adverse effects.
  - Each non-certified applicator must be able to immediately and directly communicate with the supervising certified applicator.
- Employee rights (receive information about pesticides to which they may have been exposed, that a doctor or other representative is also entitled to this information, the



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illegality of employer retaliation for pesticide complaints and that they should report suspected violations to the Ag Commissioner).

- The training must be in a manner the employee can understand, at a location reasonably free from distraction, and be conducted according to the written training program.
- Trainers must be present throughout the entire training presentation.

### Emergency Medical Care and Medical Monitoring

(3CCR 6726 and 6728)

- Plan for emergency medical care for all employees using pesticides and post this information at the worksite (vehicle, field). You must follow this plan and take staff for medical evaluation in the event of exposure or illness.
- When handling any organophosphate or N-methyl carbamate pesticide labeled “Danger” or “Warning”, you must maintain use records for each employee that document the pesticide(s) used and date of each use.
- When an employee works with organophosphates or N-methyl carbamates labeled “Danger” or “Warning” for more than six days within any consecutive 30-day period:
  - Employers must obtain medical supervision from an OEHHA licensed physician for employees and comply with the Doctor's Letter, which outlines the program and frequency of testing. A current copy of the medical supervision letter must be given to the Ag Commissioner's Office.
  - Employees must have cholinesterase baseline tests before they begin work and must be retested at intervals based on 3CCR 6728 and the doctor's recommendation in the medical supervision letter.
  - All records 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 employees by 3CCR 6728 or by the medical supervisor shall be maintained for three years.

### Written Respiratory Protection Program

(3CCR 6739)

- If a respirator is required to be worn by a pesticide label, RMP condition, regulation, or by the employer, you must establish a written respiratory protection program.
- If respirators are required, you must provide:
  - Employee training according to the written program;



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- Medical evaluation and recommendation from a licensed health care professional to determine the employee's ability to use a respirator, prior to being fit tested or required to use a respirator; and
- Fit testing before initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.
- The respiratory protection program must be evaluated continually, including at least annual employee consultation, to ensure program effectiveness.
- The written respiratory protection program, employee medical recommendations, and employee fit test records must be maintained while an employee is required to use respiratory protection and for three years after.

### Protective Clothing, Safety Equipment, and Other Handler PPE Requirements

(3CCR 6730-6738.4 and 6746)

- Whenever an employee is using any pesticide - soap, water (3 gallons per handler), and single use towels must be available for decontamination at the worksite, in addition to an extra pair of clean coveralls.
- When the label requires eye protection, the handler must have one pint of clean water available for emergency eyewash (in the cab of the application equipment), and the mix/load site must have at least 6 gallons of water available in a manner capable of delivering gently running water for at least 15 minutes.
- PPE must be provided and maintained by the employer. Employees cannot take PPE home. The employer must also ensure the proper use and storage of PPE.
- Eye protection and rubber gloves are required for all mixing and loading, when using hand or ground spray equipment, and when cleaning or repairing equipment. (This is a California requirement and applied whether the label calls for PPE or not.)
- Whenever protective eyewear is required, and the label does not identify a specific type, one of the following ANSI Z87.1 compliant items must be worn: 1. Safety glasses that provide front, brow, and temple protection; 2. Goggles; 3. Face shield, or a respirator with a full-face mask approved by NIOSH.
- Gloves – 3CCR 6738.3 specifies various categories of glove materials. If the label specifies a category, the gloves must correspond. All gloves must be 14 mils or thicker except barrier laminate and polyethylene materials.
- Pesticide labels may also require a respirator, chemical resistant boots, apron, head covering, or specific clothing under coveralls.
- When using a closed mixing system, instead of label-required PPE, a clean, long-sleeved shirt and long pants or coveralls may be worn when handling signal word "Caution" materials, and



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coveralls and a chemical-resistant apron may be used when handling signal word “Danger” or “Warning” materials.

- A closed system must be used by employees for mixing and loading pesticides when required by the label or when the label contains the following (or substantially similar) language:
  - Tier 1 closed system: “Fatal if absorbed through skin.”
  - Tier 2 closed system: “May be fatal if absorbed through skin.”
- A changing area must be available where the employee can change and wash at the end of the day. The change area must meet the same soap, water, single-use towels, and coverall requirements as decontamination facilities at the work site.
- Maintain contact with employees working alone with “Danger” pesticides every 2 hours in the daytime and every 1 hour at night.

### Minimal Exposure Pesticides (MEP)

(3CCR 6790-6793)

- Bromoxynil, Folpet, Oxydemeton-methyl, and Propargite are Minimal Exposure Pesticides.
- Must comply with additional user requirements pursuant to 3CCR 6793, including a full body, chemical-resistant suit.
- Employers should have a copy of the PSIS A-6 Minimal Exposure Pesticides available and ensure that employees handling these pesticides comply with it.

### Pesticide Use Near Schoolsites

(3CCR 6690-6692)

- Any production agriculture site within one quarter (1/4) mile of a schoolsite (Public K-12 and licensed daycares) is subject to application restrictions from 6:00 a.m. to 6:00 p.m., Monday through Friday. The restrictions prohibit applications during these times based on the potential for drift created by the application method and the pesticide formulation.
- The property operator of a production agriculture site within one quarter (1/4) mile of a schoolsite must submit to that schoolsite, before April 30, a list of all pesticides intended to be used during the upcoming school year. This notification must include the active ingredient and an example pesticide product name and EPA or CA registration number.
- Notifications must be amended 48 hours prior to use for unanticipated pesticides.
- If a property operator changes, the new property operator has 30 days to submit the notification.
- Notifications must be retained for 2 years.



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### **Beekeeper Notification Requirements for Pesticides Toxic to Bees**

(3CCR 6982 and 6983)

- Prior to applying a pesticide labeled “toxic to bees” to a blossoming plant, applicators must perform a bee check using the BeeWhere website. If an apiary is listed within one mile of the application site, they must be notified 48 hours in advance.
- Follow specific pesticide label requirements for bees and bloom in all cases.

**I have received a copy of these requirements and understand that the California Food and Agricultural Code establishes that violations of pesticide use and worker safety requirements are subject to civil penalties of up to \$15,000 per violation.**

\_\_\_\_\_ Initial to acknowledge that you have read and understood the information in this document.