



SAN JOAQUIN
—COUNTY—
Greatness grows here.

2023 SAN JOAQUIN COUNTY PESTICIDE REGULATORY UPDATES

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CARBON MONOXIDE DEVICES TO CONTROL BURROWING RODENTS

- Section 6695 of Title 3, California Code of Regulations - effective October 1, 2022.
- Requires each person using a carbon monoxide pest control device to perform pest control:
 - uses a device bearing the U.S. Environmental Protection Agency establishment number;
 - does not use the device inside any structure;
 - uses the device at specified distances away from structures;
 - does not use the device on a burrow known or believed to contain non-target vertebrate animals; and
 - does not use the device for purposes other than to control for burrowing rodent pests.
- Requires employers of employees performing pest control for hire or for a local government to ensure protective eyewear is worn by employees, keep records of use, and report any adverse effect that occurs from the use of the device.



MEDICAL SUPERVISION PROGRAM

- Amendments to section 6728 of Title 3, California Code of Regulations - effective January 1, 2023. These amendments require:
 - the physician contracted with an employer to act as a medical supervisor must be registered with the Office of Environmental Health Hazard Assessment, and
 - baseline red cell and plasma cholinesterase determinations, which are verified every two years, be established after a period of at least 30 days during which the employee has had no exposure to an organophosphate or carbamate pesticide.

CERTIFICATE & TRAINING (C&T) REGULATION

Phase in approach; **effective 1/1/2024.**

Background:

- U.S. EPA published revisions to 40 CFR § 171 in 2017
- California must meet revised standards of 40 CFR § 171 set by U.S. EPA.
- In order for CA to remain in compliance, U.S. EPA had to review and approve all aspects of DPR's regulatory revisions.

Primary Adjustments to Meet Federal Requirements:

- Align commercial applicatory categories with Federal categories and competencies
- Expand private applicator competencies

C&T REGULATIONS (CONTINUED)

OVERVIEW OF KEY CHANGES

- **New Commercial Applicator Fumigation Categories**
- **NEW PAC exam certification**
- **NEW Private Applicator Burrowing Vertebrate Pest Control Certification**
- **Limitation of Fumigant Activities Conducted Under a Private Applicator Certificate**
- **3 CCR Private Applicator Definition- “Householders”:**
- **Updated CE Standards**
- **Improved standards for Direct Supervision of Noncertified Applicators and Handler Training**
- **Minimum Age Requirements**

C&T REGULATIONS (CONTINUED)

COMMERCIAL APPLICATOR CATEGORIES

- **Eliminating Category “O”- Fumigation**
 - **New Soil Fumigation Category-Category “L”**
 - **New Non-Soil Category –Category “M”**
 - **Appropriate examination to obtain the corrected category(ies) must be taken before January 1, 2024**
- **Eliminating Category “L” - Wood Preservation**
- **Eliminating Category ‘M’- Anti Fouling Tributyltin**

C&T REGULATIONS (CONTINUED)

PRIVATE APPLICATOR CERTIFICATION

- **Competency standards for the Private Applicator Certificate (PAC) is expanded.**
 - **Householder REMOVED**
 - **PAC HOLDERS MUST TAKE & PASS (70% required) NEW PAC EXAM as per the compliance timeline (initial) - which includes the revised competencies, prior to the expiration of their certificate.**
 - **Option for Burrowing Vertebrate Pest Certification:** no longer be included in PAC, optional additional exam, available July 2023.
- **PAC renewal will occur over a three-year period as follows:**
 - **By January 1, 2024-** PAC with last names **'R-Z'**
 - **By January 1, 2025-** PAC with last names **'A-H'**
 - **By January 1, 2026-** PAC with last names **'I-Q'**

C&T REGULATIONS (CONTINUED)

UPDATED CONTINUING EDUCATION (CE) STANDARDS

- **Checking an official government issued photo identification or**
- **Using a verification process that ensures an official government-issued photo identification has been checked.**
- **Online CE courses will be interactive. Which includes:**
 - **Monitoring and ensuring course attendance and participation.**
 - **Features to prevent fast forwarding through parts of the course or participating in more than one course simultaneously.**
 - **Features for time stamping the course and tracking when the attendee starts and finishes, and the total time spend on the course.**
 - **For courses longer than one hour, a minimum 5-question quiz must occur every hour of accredited time.**
 - **Upon conclusion of course, a minimum 10-question final exam must be given.**

C&T REGULATIONS (CONTINUED)

Established Minimum Age for Licensing, Certification and/or Pesticide Handling: 18 yrs old

Requires Additional Handler Training Topics:

- **How to identify information on product labeling applicable to safe pesticide use, such as required PPE and precautionary statements about human health hazards.**
- **How to identify if a product is a Restricted Use Pesticide or CA Restricted Material and that only certified applicators or those under their supervision use the product.**
- **Revised minimum age requirement for handlers of restricted pesticides.**
- **Additional training requirements for non-certified applicators including:**
 - **Have immediate and direct communication with supervising certified applicator**
 - **Identifying where on the label physical presence of a certified applicator is required**
 - **Know certified applicator is responsible for providing site-specific instructions prior to pesticide use**

REGULATORY CHANGES IN THE FUTURE NEONICOTINOID MITIGATION

- DPR is proposing regulations to protect pollinator health.
- The control measures in the proposed regulations consist of application method and rate restrictions, application timing restrictions, and seasonal application rate caps for the four-neonicotinoid active ingredients (clothianidin, dinotefuran, imidacloprid, and thiamethoxam) and are specifically based on crop group.

IN THE FUTURE.....

1,3-DICHLOROPROPENE

- In November, DPR noticed proposed regulations to strengthen restrictions on use and significantly reduce potential residential and non-occupational bystander exposure to 1,3-dichloropropene (1,3-D).
 - Restrict the use of 1,3-dichloropropene (1,3-D) to mitigate the potential 72-hour acute risk and 70-year lifetime cancer risk to non-occupational bystanders. These measures will also further reduce the emissions of 1,3-D as a volatile organic compound.
 - Will allow the use of 1,3-D only for the production of agricultural commodities;
 - Will establish mandatory setbacks (distances from occupied structures where 1,3-D cannot be applied);
 - Will set limits on the application rate and acres treated for individual field soil fumigations;
 - Will place restrictions on multiple field soil fumigations that do not meet distance or time separation criteria;
 - Will limit the allowed methods to apply 1,3-D, including establishing criteria for acceptable types of tarpaulins that can be used;
 - Will require an annual report from DPR that includes evaluations of 1,3-D use and air monitoring results; and
 - Will require the inclusion of certain information in existing pesticide use records and pesticide use reports.
- DPR also proposes to incorporate “1,3-Dichloropropene Field Fumigation Requirements, Est. January 1, 2024” by reference in proposed sections 6448, 6448.2, 6624, and 6626. A copy of this document is included in the rulemaking file and is posted below.

IN THE FUTURE.....

STATEWIDE NOTIFICATION SYSTEM

- The development of the statewide notification project is funded by \$10 million allocated to DPR in the 2021-2022 state budget.
- The goal of the Statewide Notification System is to provide more transparent and equitable public access to information in advance of pesticide applications. occurring near where people live, work or play.
- DPR is in the process of developing the technology for the statewide system and will draft a regulation to establish consistent, statewide requirements for the system's implementation in 2024.
- Riverside, Santa Cruz, Stanislaus, and Ventura Counties are actively involved in pilot projects to inform the design and development of the statewide system.
- DPR has been and likely will continue to host multiple public workshops to collect feedback and provide development updates

A FEW FINAL POINTS...

- Pesticide Decontamination Sites: DPR anticipates noticing these regulations in early 2023.
- Pesticide Disposal Events: Approved by CACASA and DPR
 - To date, four project events in California
 - November 2 - 4, 2022 at the Lodi Grape Festival grounds.
 - Growers from Amador, Calaveras, Sacramento, Yolo and San Joaquin submitted over 60,000 pounds of old, unwanted and/or outdated packaged pesticides, a sufficient quantity to fill about 2¼ truck trailers.

FIN

.....THANK YOU!!!!

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