

DEPARTMENT OF FOOD AND AGRICULTURE

1220 N Street
Sacramento
95814



March 24, 1978

TO: COUNTY AGRICULTURAL COMMISSIONERS

SUBJECT: Enforcement of Closed System Requirements

On January 1, 1978, closed mixing systems became mandatory when employees mix or load toxicity category one liquid pesticides for uses covered by the Pesticide Worker Safety regulations.

Strong enforcement action must be taken against any employer who has not provided an acceptable system for employees. Employers who have not met this requirement should be denied restricted materials permits for all category one liquid formulations. When restricted materials permits are issued which include the use of a category one liquid formulation, the permit should be conditioned to require the use of a closed mixing system if employees are doing the mixing.

If you find any employee mixing category one liquid formulations without using a closed system, you should immediately issue a cease work order to the employer (governmental agency, grower, pest control operator, etc.). Then, depending upon the employer's previous violation history, you may need to initiate additional enforcement action which could include:

1. Canceling the employer's restricted materials permit,
2. Canceling the firm's PCO registration,
3. Issuing a direct court citation, or
4. Seeking charges through a criminal complaint initiated by the district attorney.

If you have any questions concerning approved closed systems, closed systems criteria, or closed system enforcement, please contact the Pesticide Use Enforcement field supervisor assigned to your county.

Sincerely

William Betts

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Pesticide Use Enforcement and Licensing
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