

## GOVERNMENT RELATIONS

No doubt, by now, all of us have received a notice from the Agricultural Commissioner's office on New Laws/Regulations for pesticide users. I will briefly outline the contents of the notification. These new requirements went into effect January 1, 1993.

### Section 6618: Notice

-The operator of the property treated must give notice to all persons known to be on property that is treated or likely to enter during the period of time that any restrictions are in effect.

-The notice must identify the date of the application, the pesticide by brand name or common chemical name, and the precautions, including reentry restrictions.

### Section 6723: Hazard Communication For Pesticide Handlers.

-Pesticide Safety Information Series (PSIS) a-8 (Written Hazard Communication Program for Employees handling Pesticides) must be posted at the location where employees start the workday or at a central location if there is no usual work site. If requested by an employee, the employer must read PSIS A-8 to him or her in a language they understand.

-The employer must maintain the following at a central location:

\*Use records of pesticides handled by employees

\*PSIS leaflets which are applicable to pesticides handled by employees and listed in the use records

\*Material Safety Data Sheets (MSDS) for each pesticide listed in the use records

-If no MSDS Sheets (MSDS) are available and an employee, their physician, or representative requests one, the employer must do the following:

\*Make written inquiry to the pesticide registrant within seven working days of the request and send a copy to the person requesting the MSDS. If a written request was made within the last six months to obtain new, revised, or subsequent information, no further inquiry is required. Or, if the employer made written inquiry with the last 12 months to the registrants as to whether the pesticide is subject to the requirement of a MSDS, no further inquiry is needed.

\*If the employer does not receive a response from a registrant within 25 working days, a copy of the inquiry must be sent to the Department of Pesticide Regulation.

-If an employer receives a MSDS as a result of a written inquiry, he must notify the requester of its availability within 15 days of receiving the MSDS.

-The employer must inform employees, before handling pesticides and annually thereafter, of the location and availability of records required to be maintained.

-Upon request of an employee, his/her physician, or representative, the employer must provide access to records required to be maintained. Access must be as soon as possible, but not to exceed 48 hours.

### Section 6724: Training

-The employer must have a written training program for all pesticides that are handled by employees and maintain it at a central workplace

location that is accessible to employees. (Note: The "written training program" includes the materials and information that are provided and used to train employees e.g. study guides, pamphlets, pesticide labels, MSDS, PSIS leaflets, slides, videotapes and training records.)

-In addition to existing requirements, the training provided to employees must include the following:

\*The known or suspected chronic effects

\*The use of engineering controls (i.e. closed systems or enclosed cabs).

\*The procedures for handling non-routine tasks or emergency situations.

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\*MSDS and PSIS

\*Employees and their representatives' rights to receive information.

\*Employees rights against discharge and discrimination.

\*The location of the written Hazard Communication Program (PSIS A-8, pesticide use records, PSIS, MSDS, exposure/monitoring records, and training records).

-Training must be updated when new pesticides are handled.

-Training records must be maintained at a central work place location that is accessible to the employee.

**Section 6761: Hazard Communication for Field Workers**

Before employees are allowed to enter a field treated with a pesticide, the employer must make accessible to employees at the worksite a copy of the Written Hazard Communication Program for Employees Working in Fields (PSIS A-9). (Note: PSIS A-9 can be "made accessible" to employees in various ways, such as by placing in transportation vehicle; by posting at toilet facilities in the field; or by individually handing it out to each employee at the worksite).

-If employees are employed by a labor contractor, the operator of the property must inform the labor contractor of the location of records and other documents.

-The operator of the property must maintain at a central location and make accessible to employees who enter a treated field, the following:

\*Records of pesticides applied to the field within the last two years.

\*Specific PSIS or general information about pesticides applied to the field.

\*MSDS for each pesticide applied to the field.

-If, after inquiry, no MSDS is available or provided, the operator of the property must keep a copy of the label or specified information.

-Prior to entering a treated field, employees must be informed of the location and availability of records and documents and their rights to access the information.

-If a request is received to review records and documents, the operator of the property must grant access to the employee or their representative within 48 hours.

-The employer must have available and make accessible at the worksite of a treated field, a crop sheet applicable to the crop. Upon request, the employer must read the crop sheet to the employee in a language he/she understands (see footnote).

-Crop sheets (English Spanish) provided by the Department of Pesticide Regulation must include the following information:

\*A list of pesticides commonly applied to the crop.

\*The month or season of the year each pesticide is usually applied to the crop.

\*Information concerning possible human health hazards from pesticides.

\*Information about required protective work procedures and clothing.

\*A list of pesticide poisoning symptoms.

\*Information about treatment for pesticide poisoning or injury.

(Note: employers are not required to make available crop sheets, unless they are available from the Department).


Article taken from the Divot News, February 1993.

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