

Cal.Food & Agric.Code § 12980

The Legislature hereby finds and declares that it is necessary and desirable to provide for the safe use of pesticides and for safe working conditions for farmworkers, pest control applicators, and other persons handling, storing, or applying pesticides, or working in and about pesticide-treated areas.

The Legislature further finds and declares that the development of regulations relating to pesticides and worker safety should be the joint and mutual responsibility of the Department of Pesticide Regulation and the Office of Environmental Health Hazard Assessment.

The Legislature further finds and declares that in carrying out the provisions of this article, the University of California, the Department of Industrial Relations, and any other similar institution or agency should be consulted.

(Added by Stats.1972, c. 794, p. 1412, § 1. Amended by Stats.1978, c. 429, p. 1355, § 47, eff. July 17, 1978, operative July 1, 1978; Gov.Reorg.Plan No. 1 of 1991, § 45, eff. July 17, 1991.)

Current as of January 18, 2019

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The director shall adopt regulations to carry out the provisions of this article. The regulations shall include, but are not limited to, all of the following subjects:

(a) Restricting worker reentry into areas treated with pesticides determined by the director to be hazardous to worker safety by using either or both of the following:

(1) Time limits.

(2) Pesticide residue levels on treated plant parts determined by scientific analysis to not be a significant factor in cholinesterase depression or other health effects.

When the director has adopted regulations pursuant to both paragraphs (1) and (2), the person in control of the area treated with the pesticide shall have the option of following regulations adopted pursuant to either paragraph (1) or (2). If the person in control of the area treated with the pesticide chooses to follow regulations adopted pursuant to paragraph (2), the director may establish and charge the person a fee necessary to cover any costs of analysis or costs incurred by the director or commissioner in carrying out regulations adopted pursuant to paragraph (2). The regulations shall include a procedure for the collection of the fee, and the fee shall not exceed actual cost.

(b) Handling of pesticides.

- (c) Hand washing facilities.
- (d) Farm storage and commercial warehousing of pesticides.
- (e) Protective devices, including, but not limited to, respirators and eyeglasses.
- (f) Posting, in English and Spanish, of fields, areas, adjacent areas or fields, or storage areas.

The Office of Environmental Health Hazard Assessment shall participate in the development of any regulations adopted pursuant to this article. Those regulations that relate to health effects shall be based upon the recommendations of the office. The original written recommendations of the office, any subsequent revisions of those recommendations, and the supporting evidence and data upon which the recommendations were based shall be made available upon request to any person.

(Added by Stats.1972, c. 794, p. 1412, § 1. Amended by Stats.1978, c. 429, p. 1356, § 48, eff. July 17, 1978, operative July 1, 1978; Stats.1979, c. 380, p. 1438, § 1; Stats.1980, c. 926, p. 2945, § 1, eff. Sept. 18, 1980; Gov.Reorg.Plan No. 1 of 1991, § 46, eff. July 17, 1991.)

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The director and the commissioner of each county under the direction and supervision of the director, shall enforce the provisions of this article and the regulations adopted pursuant to it. The local health officer may assist the director and the commissioner in the enforcement of the provisions of this article and any regulations adopted pursuant to it. The local health officer shall investigate any condition where a health hazard from pesticide use exists, and shall take necessary action, in cooperation with the commissioner, to abate the condition. The local health officer may call upon the Office of Environmental Health Hazard Assessment for assistance pursuant to Section 105210 of the Health and Safety Code.

(Added by Stats.1972, c. 794, p. 1412, § 1. Amended by Stats.1978, c. 429, p. 1356, § 49, eff. July 17, 1978, operative July 1, 1978; Gov.Reorg.Plan No. 1 of 1991, § 47, eff. July 17, 1991; Stats.1996, c. 1023 (S.B.1497), § 53, eff. Sept. 29, 1996.)

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