

UNIVERSITY OF CALIFORNIA SYSTEMWIDE ADMINISTRATION

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Office of the Vice President--
Agriculture & Natural Resources

2120 University Avenue, 7th Floor
BERKELEY, CALIFORNIA 94720

POLICY COMMUNICATION NO. 18
(Revised)

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TO: Staff of the Division of Agriculture and Natural Resources

FROM: 
J. B. Kendrick, Jr., Vice President

SUBJECT: Policy for Pesticide and Related Chemicals Use and
Experimentation

It is the responsibility of the University of California Division of Agriculture and Natural Resources to conduct research, perform extension activities, and make recommendations on the safe and efficacious use of pesticides and related chemicals.

In order to insure the safety of persons potentially exposed to our experimental and pest management uses of pesticidal chemicals and microbial agents, the University of California Division of Agriculture and Natural Resources, in consultation with the State Department of Food and Agriculture, adopts the following policy:

I. DEFINITIONS

1. Pesticide.

Any chemical or biotic agent used or intended for use for pest control, whether or not it is registered by the U. S. Environmental Protection Agency or the California Department of Food and Agriculture, or any chemical or biotic agent that is being used in any research or demonstration project with the intent of testing its efficacy, phytotoxicity, or animal toxicity in any field test.

2. Supervisor.

For purposes of this policy, "supervisor" shall be defined as a project leader or his/her designated representative responsible for execution of pesticide research projects or control procedures.

II. GENERAL

1. Scope.

This policy applies to all employees of the Division of Agriculture and Natural Resources who use or handle pesticides for any purpose or who are exposed to pesticide residues as a result of agricultural or research applications.

2. Employer responsibilities.

It is the express duty of the supervisor to provide a safe workplace for employees and to inform employees of pesticide hazards and safety regulations applicable to all activities they may perform. The supervisor is responsible for ensuring that employees handle pesticides in accordance with state and federal law, regulations, and label requirements.

3. Employee rights.

Under the California Labor Code, employees have the right to:

- a. File confidential complaints alleging unsafe work conditions.
- b. Have complaints promptly investigated.
- c. Talk to inspectors or compliance officers, and point out hazards during the inspection process.
- d. Be notified of any relevant job hazard.
- e. Not be subject to any retaliation or discrimination because said employee has filed any complaint regarding an unsafe work condition.

4. Pesticides on campuses.

On any University of California campus or field station, pesticide research, development, demonstration, or use will be conducted according to the policies of the appropriate campus or headquarters location.

5. Pesticides off campuses.

Items III to XII of this policy are intended to apply to all pesticide research, development, demonstration, or use on any land or other treated site (including livestock) not owned by or under the direct day-to-day control of The Regents of the University of California.

III. STORAGE, TRANSPORTATION AND DISPOSAL OF PESTICIDES

1. Control of pesticides, containers and equipment.

Containers or equipment that hold or have held a pesticide shall not be stored, handled, emptied, disposed of, or left unattended in such a manner that they may present a hazard to persons, animals, food, feed, crops, or property.

2. Storage and delivery.

a. The supervisor is responsible for all containers or equipment on the work site that hold or have held a pesticide. The supervisor shall either:

- 1) Store all containers or equipment in a locked enclosure, or
- 2) Provide a responsible person to maintain control over the containers at all times.

b. All pesticide containers (regardless of the amount of pesticide they contain) shall have lids and closures securely fastened.

c. Pesticides shall not be delivered to any property unless they are stored or controlled as required above.

3. Posting of pesticide storage areas.

All areas where Category One¹ or Two pesticides or their containers are stored shall be posted with warning signs as required by the State Food and Agricultural Code.

4. Container label requirements.

The manufacturer's label shall not be removed from any pesticide container unless the container has been triple-rinsed or decontaminated as described in 8. below.

¹See Pesticide Application and Safety Training, Division of Agriculture and Natural Resources, Publication #4070, for definition of pesticide categories.

5. Service containers.

All service containers (containers other than those bearing the registered pesticide label), regardless of size, will be labeled with the following information:

- a. Signal word from pesticide label (Danger, Warning, Caution).
- b. Name of pesticide.
- c. Name of manufacturer.
- d. Name of active ingredient (or manufacturer's code number).
- e. Concentration of active ingredient.
- f. Name, address, and telephone number of the person responsible for the demonstration, application, or research.

6. Prohibited service containers.

Pesticides shall not be put or kept in any container commonly used for food, drink, household products, or feed.

7. Transportation requirements.

- a. Pesticides shall not be transported in the same compartment with persons, food, or feed, except small amounts may be transported in federal Department of Transportation-approved containers.
- b. Pesticide containers shall be secured to vehicles during transportation in a manner that will prevent spillage onto or off the vehicle. Paper, cardboard, and similar containers shall be covered when necessary to protect them from moisture.

8. Container rinsing requirements.

Each emptied container that has held less than 28 gallons of a liquid pesticide diluted for use shall be rinsed by the user at the time of use by the triple-rinse method or another rinse method approved by the California Department of Food and Agriculture.

9. Pesticide disposal.

All undiluted, excess pesticides will be disposed of in accordance with the requirements of the Campus Office of Environmental Health and Safety, or in accordance with the requirements of the Cooperative Extension pesticide disposal policy.

10. Closed pesticide transfer systems.

Closed pesticide transfer systems must be used when required by state regulation. Closed transfer systems do not apply to employees of research units developing and testing new pesticides or new uses of pesticides, if employees handle one gallon or less of such pesticides per day.

11. Unregistered pesticides.

All experimental (unregistered) chemical pesticides shall be stored and transported in labeled containers of a type appropriate to assure safety in handling.

12. Unidentified or unlabeled pesticides.

Pesticides of unknown identity shall be stored, transported, handled, and disposed of according to the standards established by state and county regulations, and by this University of California policy for Category One pesticides.

IV. QUALIFICATIONS OF PERSONS SUPERVISING PESTICIDE APPLICATIONS

1. Persons directly supervising pesticide applications shall be Certified Commercial Applicators or academic employees whose job responsibility includes pest management research and development.

V. ENVIRONMENTAL CONSIDERATIONS IN DETERMINING PLOT LOCATIONS

1. The supervisor shall consider the potential consequences of any proposed experimental use of pesticides, paying particular attention to proximity to:
 - a. Areas of frequent human activity or habitation.
 - b. Bodies or sources of water.
 - c. Wildlife management areas.
 - d. Critical habitats of rare or endangered species.
 - e. Livestock and crops.
2. Applications will be made in such a manner as to minimize adverse environmental impacts.

VI. SAFETY CONSIDERATIONS DURING APPLICATIONS

1. Safety of employed persons.

To ensure safe work practices for employees who mix, load, apply, store or otherwise handle pesticides, or who are exposed to residues of these pesticides after application, the following work practices and safety requirements shall be met:

- a. Age. Employees under the age of 18 shall not mix, load, or apply any pesticides of toxicity Category One or Two.
- b. Instruction and training. The supervisor shall provide instruction and training to each employee who handles any pesticide. This instruction and training shall include, for each pesticide to be used:
 - 1) The hazards involved.
 - 2) Safety procedures to be followed.
 - 3) Clothing and protective equipment to be used.
 - 4) Common symptoms of pesticide poisoning and ways poisoning can occur.
 - 5) Where to obtain emergency medical treatment.
 - 6) Medical supervision requirements.
 - 7) Applicable laws, regulations, and label requirements.
- c. Timing and record of instruction and training. Instruction shall be completed before the employee is allowed to handle pesticides and at least annually thereafter. Instruction may be waived if the employee is a certified applicator. The supervisor shall record the date and extent of instruction given or the employee's certified applicator license number.
- d. Emergency medical care. The supervisor shall make prior arrangements for emergency medical care as required by the State Food and Agricultural Code.
- e. Medical supervision. The supervisor shall provide for medical supervision for any employee who will be regularly handling any Category One or Two pesticide containing an organophosphate for an agricultural use. This medical supervision shall meet the requirements of the State Food and Agricultural Code.

- f. Other general pesticide use and handling requirements.
The supervisor shall meet the requirements of the State Food and Agricultural Code for:

- 1) Working alone with pesticides.
- 2) Clothing change area.
- 3) Mixing and loading site requirements.
- 4) Work clothing.
- 5) Protective equipment.
- 6) Adequate light.
- 7) Servicing equipment.
- 8) Equipment specifications.
- 9) Closed pesticide transfer systems.

VII. POST-APPLICATION SAFETY CONSIDERATIONS

1. To ensure the safety of persons entering experimentally treated areas in excess of one acre, the treated areas or fields shall be posted. Such posting shall be done in accordance with the pesticide label or as outlined in the California Administrative Code.
2. Plots treated with materials requiring re-entry intervals in excess of seven days must be posted in accordance with the California Administrative Code.

VIII. PESTICIDE USE RECORDKEEPING AND REPORTING

1. For each experiment, the supervisor shall keep a record of:
 - a. Location of treated site.
 - b. Plot size and total area treated.
 - c. Each commodity, crop or site treated.
 - d. Pests tested.
 - e. Pesticides applied.
 - f. Date of application(s).
 - g. Method of application.
 - h. Concentration and volume of pesticide applied.
2. These records shall be retained by the supervisor, the departmental office, or the county Cooperative Extension office for at least one year following the date of the final pesticide application.
3. A single annual experimental pesticide use report shall be supplied to the Office of the Statewide Pesticide Coordinator by each principal investigator.

4. This annual report will be submitted by February 1 of each year on a form to be approved by the Directors of the Experiment Station and Cooperative Extension.
5. Annual report will include the following:
 - a. Individual reporting.
 - 1) Name.
 - 2) Address.
 - 3) Telephone number.
 - b. Crops or target organisms.
 - c. Pesticides tested (official common name or experimental compound number and manufacturer's name).
 - d. Signed notification that all treated commodities have been disposed of in accordance with current University of California policy.

IX. CONTROL AND DISPOSITION OF TREATED COMMODITIES

1. It is the policy of the Division of Agriculture and Natural Resources that commodities treated with any experimental pesticide for which no federal or State of California pesticide residue tolerance has been established shall not be allowed to enter the food marketing chain, or in any other way be made available for use as human or animal food or feed.
2. Food, feed, or food and feed seed commodities treated with pesticides for which no tolerances have been established shall be destroyed in such a manner as to make them unusable for human or animal consumption.
3. Experimental plots treated with unregistered materials must be clearly marked.
4. Food or feed treated with pesticides registered for application on the test site and applied at or below the registered label rates may be harvested and allowed to enter the food marketing chain, provided all other label conditions are met.

X. RE-ENTRY INTO PESTICIDE-TREATED AREAS

1. Re-entry after application of registered pesticides. No personnel shall be allowed to re-enter any area treated with a Category One pesticide for 24 hours after the application, unless they wear the same protective equipment required for a ground applicator of that pesticide. Areas treated with Category Two or Three pesticides may be re-entered within 24 hours only if the spray has dried or the dust has settled.
2. Re-entry intervals in days. All University employees shall abide by the state regulations concerning specific re-entry intervals as they pertain to specific crops/sites/pesticides.
3. Treated areas shall be identified as described in Section VII and Section IX of this policy.

XI. PESTICIDE RECOMMENDATIONS AND INFORMATION

1. Pesticide recommendations shall conform to usages prescribed by labels registered by the U. S. Environmental Protection Agency and the California Department of Food and Agriculture.
2. Published or otherwise-presented results of experiments in which pesticides are used in a manner that does not conform with registered uses shall be clearly identified as experimental results only. Where appropriate, a warning shall be included that similar uses may result in illegal or unsafe chemical residues on treated commodities.

XII. RESTRICTED MATERIALS PERMITS

1. In accordance with state law and regulation, all employees of the University must possess (or be operating under) a restricted materials permit when possessing, using, or applying any restricted material (restricted pesticide) for pest control purposes.

XIII. PESTICIDE POLICY COMMITTEE

1. A Pesticide Advisory Committee consisting of six members chosen to represent the various campuses and Cooperative Extension shall be appointed by the Vice President of Agriculture and Natural Resources upon recommendation by the Director of Cooperative Extension and the Director of the Experiment Station.
2. Members of the committee shall serve for terms of three years with terms being staggered so that two members are appointed annually.
3. In addition to the six appointed members, the Statewide Pesticide Coordinator shall be a permanent member of the Pesticide Advisory Committee.
4. The Statewide Pesticide Coordinator shall convene a meeting of the committee at least once each year. The committee shall review this pesticide policy and other relevant or assigned matters for the purpose of advising the administration on matters pertaining to pesticide use and experimentation within the Division of Agricultural Sciences and Natural Resources.
5. The committee shall review violations of the University of California pesticide policy by employees of the University for the purpose of advising the administration on matters pertaining to such violations.
6. The committee shall meet not less than biennially with representatives of state agencies and representatives of the public to seek input and advice concerning the University of California's pesticide policy. Non-University representation at these meetings shall be by invitation of the Vice President of Agriculture and Natural Resources.

XIV. MICROBIAL PESTICIDES

The U.S. Environmental Protection Agency requires a federal experimental use permit for any experimental program involving the deliberate release of living, non-indigenous or genetically altered microbial pesticides irrespective of the acreage involved in the experiment.

The California Department of Food and Agriculture Pesticide Registration Branch must also be notified of any proposed field testing (on or off University property) by University personnel involving such microbial pesticides.

(Section XIV adopted September 1985)