

MONTEREY COUNTY

AGRICULTURAL COMMISSIONER

(408) 758-3876 - 120 WILGART WAY - SALINAS, CALIFORNIA 93901

RICHARD W. NUTTER
AGRICULTURAL COMMISSIONER

TO: COUNTY AGRICULTURAL COMMISSIONERS
FROM: PESTICIDE ENFORCEMENT



NOTICE OF ADOPTION OF EMERGENCY REGULATION
By the Monterey County Agricultural Commissioner
Pertaining to Field Worker Safety

Notice is hereby given that the Agricultural Commissioner of Monterey County, California pursuant to Sections 11503 and 11511 of the Food and Agricultural Code, has adopted and filed an emergency regulation governing the conduct of agricultural pest control operations under local conditions.

These regulations would amend rules and regulations heretofore adopted by requiring posting of areas treated with a pesticide for which a safety interval of 24 hours or longer has been established pursuant to Title 3, Section 2479(c) of the California Administrative Code.

Title 3, California Administrative Code Section 2479 currently requires posting of all treated areas for which a safety interval of more than 7 days has been established. The Agricultural Commissioner of Monterey County has determined that these requirements are insufficient under local conditions to adequately protect the health and safety of workers entering pesticide-treated fields. The commissioner has also determined that the adoption of additional posting requirements is necessary and that the present hazard to field workers constitutes an emergency. The facts upon which this finding is based are as follows:

On or about July 10, 1980, 20 workers from the King City Labor Pool were banding heads of cauliflower when many of them began feeling ill. Thirteen were taken to Sal. Val. Memorial Hosp.; three others were sent to Natividad Medical Center. The preliminary diagnosis was cholinesterase inhibition. An investigation conducted by this office revealed that the pesticides Phosdrin and Phosphamidon had been applied to the subject field on July 10, 1980, and that workers had entered that field on that date in spite of the existence of a three-day safety interval for the combination of materials used.

On or about April 23, 1981, the pesticide Phosdrin was applied to a field in Monterey County. On that date, two lettuce-picking crews, one of 30 persons and a second of 50 persons, entered the treated area; 41 of the workers subsequently went to local hospitals. As of April 24, two had

systemic symptoms, 15 had rashes, and three had depressed cholinesterase levels. In addition to these major incidents, there have been two minor incidents involving worker reentry before the end of the appropriate safety interval. Products with a reentry interval of less than seven days, particularly Phosdrin, are widely used on the crops in Monterey County. A large number of such applications is likely to be made within the next 120 days; each application, because of the proximity to harvest, carries with it a potential health and safety hazard for farm workers.

Notice is also given that any person interested may file statements, arguments or contentions relevant to the proposed action, in writing, with the Monterey County Agricultural Commissioner at anytime prior to October 1, 1981.

A copy of the proposed regulations is enclosed. Additional copies are available at Monterey County Agricultural Commissioner's Office, c/o Richard Nutter, 120 Wilgart Way, Salinas, California 93901, or by telephoning (408) 758-3876.

June 8, 1981
Date

Richard W. Nutter
Richard W. Nutter
Monterey County Agricultural Commissioner

Enclosure

1. No person shall apply any pesticide for which there is an established safety interval of 24 hours or longer unless the area to be treated has been posted in accord with the following requirements:
 - a. Warning signs shall be posted at each corner of the treated area and the normal points of entry.
 - b. Warning signs shall be of such durability and construction that they will remain clearly legible for the duration of the safety interval, shall have red printing on white background, shall be of such size that the word "DANGER" and one skull and crossbone symbol are clearly visible at a distance of 25 feet, and shall read, in the English and Spanish languages, substantially as follows:

D A N G E R

P E L I G R O

Place skull and
crossbone symbol
here

DO NOT ENTER

NO ENTRE

2. Warning signs shall not be posted unless a pesticide application is scheduled within the next 24 hours, and must be posted no later than the time the application is started.
3. No person shall remove warning signs during the safety interval.
4. Warning signs shall be removed by the farm operator or his agent within 72 hours after the end of the safety interval.
5. During the safety interval, no person, directly or through any agent, shall direct any other person to enter a field where warning signs are posted to engage in activities requiring substantial and prolonged body contact with the treated area except as provided in Title 3 California Administrative Code Section 2479(c)(2)(B). Irrigators and other persons involved in cultural practices not requiring substantial or prolonged contact with treated areas may enter during the safety interval if wearing protective clothing.
6. This regulation does not apply to the application of those pesticides governed by Title 3 California Administrative Code Section 2480(b).
7. Every person who violates any provision of this regulation is subject to the civil and criminal penalties set forth in Food and Agricultural Code Sections 11891 through 11894.
8. The requirements of this regulation are effective 12:01 a.m. June 15, 1981 and shall remain in effect through October 2, 1981 unless further extended.