



New and upcoming regulations

2022 Kearney Alfalfa and Forage Field Day

New 10/1/2022


Carbon Monoxide Pest Control Devices

Comment period closed 9/8/21

- DPR adopted 3 CCR section 6695, which regulates the use of carbon monoxide pest control devices for control of burrowing rodent pests. These regulations ensure that each person using a carbon monoxide pest control device to perform pest control use:
 - a device bearing the U.S. Environmental Protection Agency establishment number;
 - does not use the device inside any structure;
 - uses the device at specified distances away from structures
 - (A) 50 feet for control of ground squirrels or field mice; (B) 100 feet for control of gophers; or (C) 65 feet for control of all other burrowing rodent pests;
 - does not use the device on a burrow known or believed to contain non-target vertebrate animals;
 - and does not use the device for purposes other than to control for burrowing rodent pests.
- They also require employers of employees performing pest control for hire or for a local government to ensure protective eyewear is worn by employees, keep records of use, and report any adverse effect that occurs from use of the device.



DPR 22-001 Neonicotinoid Pesticide Exposure Protection

A photograph of a helicopter with a large spray boom attached, flying over a field. The helicopter is white and has a large black boom extending from its side. The background shows a blue sky with some clouds and a dark structure in the foreground.

(Comment period closed 4/26/22)

DPR proposes to adopt sections 6990 through 6990.16 of Title 3, California Code of Regulations as control measures necessary to protect pollinator health as identified in the “California Neonicotinoid Risk Determination” and “Addendum to the July 2018 California Neonicotinoid Risk Determination.” The proposed control measures would affect the pesticide regulatory program activities pertaining to pesticide use and enforcement by regulating certain production agricultural applications of pesticide products containing the nitroguanidine-substituted neonicotinoid active ingredients, clothianidin, dinotefuran, imidacloprid, and thiamethoxam (collectively referred to as neonicotinoids). In summary, the proposed control measures consist of application method and rate restrictions, application timing restrictions, and seasonal application rate caps for the four-neonicotinoid active ingredients and are specific based on crop group.

Proposed text

Section 6990.3. **Neonicotinoid Use on Cereal Grains Crop Groups** (Crop Groups 15 and 16)

The provisions of this section apply to any neonicotinoid application made to a crop in the cereal grains crop groups. An application of a neonicotinoid to barley, oats, rice (*Oryza sativa*), rye, triticale, or wheat is not subject to the provisions of this article.

(a) Application of a neonicotinoid is prohibited from heading (inflorescence or tassel emergence) to harvest.

(b)(b) If both soil and foliar application methods are used on the same crop, or if multiple neonicotinoid active ingredients are applied to the same crop, a total maximum combined application rate of 0.326 lbs. ai/A/season may be applied provided that:

- (1) Soil application rate must not exceed 0.2 lbs. ai/A/season; and
- (2) Foliar application rate must not exceed 0.126 lbs. ai/A/season.

Proposed text

Section 6990.3. Neonicotinoid Use on Cereal Grains Crop Groups continued...

(c) If managed pollinators will be used during the growing season, the application rate and timing restrictions listed in the following table apply in addition to the limitations in subsections (a) and (b):

<u>Application Rate and Timing Restrictions for Crops in the Cereal Grains Crop Group</u>				
<u>Active Ingredient</u>	<u>Soil Application</u>		<u>Foliar Application</u>	
	<u>Maximum Application Rate</u>	<u>Required Timing</u>	<u>Maximum Application Rate</u>	<u>Required Timing</u>
<u>Clothianidin, Dinotefuran, Imidacloprid, or Thiamethoxam</u>	<u>0.2 lbs. ai/A/season</u>	<u>Apply only at pre-planting or planting</u>	<u>0.126 lbs. ai/A/season</u>	<u>Apply only between pre-planting until heading (inflorescence or tassel emergence)</u>

Private Applicator Certificate Examination

- The revised 40 CFR Part 171 has expanded the competency standards for the private applicator initial certificate (PAC) examination
- PAC (original) examinations previously administered for certification do not meet the revised competency standards detailed in 40 CFR Part 171
- As a result, all existing PAC holders must take and pass a revised PAC (new) examination, which includes the revised competencies, prior to the expiration of their certificate
 - Phased-in approach

California Department of
dpr Pesticide Regulation
Pesticide Enforcement Branch

STATE OF CALIFORNIA

PRIVATE APPLICATOR CERTIFICATE

CERTIFICATE NUMBER - VALID THROUGH

DEC.

NAME: _____

ADDRESS: _____

Private Applicator Certification Examination (initial) continued

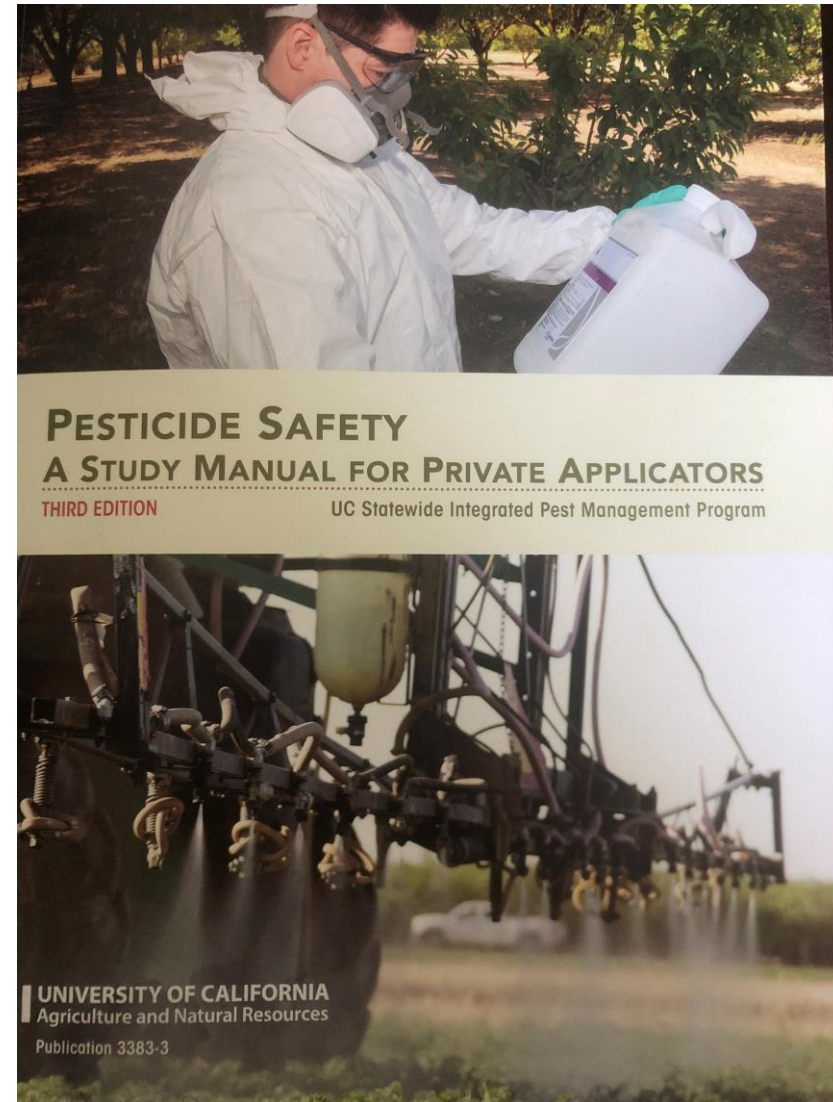
Impact

- All private applicators currently certified will need to take the revised PAC (initial) examination that includes revised competency standards
- **Taking this examination is not optional.** Renewing through continuing education will not be an option until an individual has taken and passed the revised PAC (initial) examination that includes revised competency standards
- This will be required at a private applicators time of renewal and will occur over a three-year period as follows:
 - By January 1, **2024** – PAC with last names “**R-Z**”
 - By January 1, **2025** – PAC with last names “**A-H**”
 - By January 1, **2026** – PAC with last names “**I-Q**”

Fall 2022 – NEW EXAM will be available for applicants to meet the new competencies

Pesticide Safety: A Study Manual for Private Applicators, 3rd Edition

- To purchase the study guide, you can buy a hard copy for \$29 plus tax from us (check availability 559-600-7510 ext. 6).
- The UC Cooperative extension has a hard copy available to order online
- or you can purchase a downloadable pdf for \$10 on Google Play.





New Private Applicator Burrowing Vertebrate
Pest Certificate Option



New Private Applicator Burrowing Vertebrate Pest Fumigation Certificate Option

- The revised 40 CFR Part 171 requires private applicators using fumigants to be certified in fumigant use
- The revised 40 CFR Part 171 allows states to adopt a Non-soil and/or soil fumigation category for private applicators
- DPR is adopting a new certificate option for private applicators, the Burrowing Vertebrate Pest Fumigation Certificate Option

New Private Applicator Burrowing Vertebrate Pest Fumigation Certificate Option

Impact

All private applicators using fumigant products will need to obtain the appropriate certifications for their fumigant use activities upon implementation of the proposed regulations

- Private applicators using fumigants labeled for the control of burrowing vertebrate pests may obtain the new private applicator certificate option in 'Burrowing Vertebrate Pest Control'
- This must be obtained by January 1, 2024, to remain in compliance



New Private Applicator Burrowing Vertebrate Pest Fumigation Certificate Option continued



- This certificate option allows PAC holders to use fumigants labeled for the control of burrowing vertebrate pests
- All other fumigant activities will require a private applicator to obtain a commercial applicator certification in the appropriate category(ies) (i.e., non-soil or soil fumigation)
- This ensures that individuals using fumigant products are knowledgeable in the safe and effective use of these hazardous products

Important Clarification PAC Examinations

- If you are a PAC holder who will be applying to obtain the Burrowing Vertebrate Pest Fumigation Certificate Option, but your existing PAC expires after the implementation date of the proposed regulations (i.e. after January 1, 2024) – **You are required to take and pass the revised PAC Practical Knowledge Examination, which includes the revised competencies, at or before obtaining the new Private Applicator Burrowing Vertebrate Pest Fumigation Certificate Option.**
- This requirement applies regardless of when your existing PAC expires.

DRIIFT PREVENTION

Fresno County Department of Agriculture

January 21, 2020

(559)600-7510



FAC 12972



The use of any pesticide by any person shall be in such a manner as to prevent substantial drift to nontarget areas.

"**Substantial drift**" means the quantity of pesticide outside of the area treated is greater than that which would have resulted had the applicator used due care.

FAC 12973



The use of any pesticide shall not conflict with labeling registered pursuant to this chapter which is delivered with the pesticide or with any additional limitations applicable to the conditions of any permit issued by the director or commissioner.

3 CCR 6600



Each person performing pest control shall:

- (a) Use only pest control equipment which is in good repair and safe to operate.
- (b) Perform all pest control in a careful and effective manner.
- (c) Use only methods and equipment suitable to insure proper application of pesticides.
- (d) Perform all pest control under climatic conditions suitable to insure proper application of pesticides.
- (e) Exercise reasonable precautions to avoid contamination of the environment.

3 CCR 6614



(a) An applicator prior to and while applying a pesticide shall evaluate the equipment to be used, meteorological conditions, the property to be treated, and surrounding properties to determine the likelihood of harm or damage.

3 CCR 6614



(b) Notwithstanding that substantial drift would be prevented, no pesticide application shall be made or continued when:

- 1) There is a **reasonable possibility** of contamination of the bodies or clothing of persons not involved in the application process;
- (2) There is a **reasonable possibility** of damage to nontarget crops, animals, or other public or private property; or
- (3) There is a **reasonable possibility** of contamination of nontarget public or private property...

This means:

It doesn't matter if drift actually happens - if there is a reasonable possibility, you can be found in violation



Ways to Prevent Drift

- Use correct application method for the job
- Apply in a way that minimizes drift
- Apply pesticides at times when minimum activity is occurring around your treatment area
- Keep equipment well maintained
- Communicate with your neighbors
- **Stop application** if drift will **potentially** move to sensitive areas

Prevent Drifts



- **Consider...**
 - **Properties of the pesticide: driftability (fine dusts), co-distillation, volatility, odor**
 - **Sensitive areas: field work activity, bus routes, emerging buds/seedlings, livestock, organic commodities.**
 - **Methods of application: drip vs sprinkler ... Ground vs air**
 - **Timing: AM or PM, weekend, high traffic time.**

**Know when buses are running
in the A.M. and P.M.**

BE AWARE OF SCHOOL BUSES

Contact school transportation departments to find out where routes and bus stops are.

DETERMINE TIMES WHEN BUSES ARE IN TRANSIT.

Information on upcoming events for continuing education can be found on our website. Additional web-based continuing education hours can be found sj-ce.org/courses

The screenshot shows the Fresno County website header with navigation links: Employee Services, Newsroom, Employment, Contact Us, and a language selector. Below the header are sections for SERVICES, RESOURCES, DEPARTMENTS, and I WANT TO... A search icon is also present. The main content area is titled 'AGRICULTURAL COMMISSIONER' and includes a 'Quicklinks' section with four tiles: 'CE & EVENT CALENDAR', 'BAIT SALES', 'FARMERS MARKETS & CROP PRODUCTION', and 'PEST & DISEASE PREVENTION/CONTROL'. A purple circle highlights the 'CE & EVENT CALENDAR' tile.

CONTINUING EDUCATION AND EVENT CALENDAR

Font Size: [+](#) [-](#) [+](#) Share & Bookmark [Feedback](#) [Print](#)

<< Previous Month **NOVEMBER 2022** Next Month >>

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
30	31	1	2	3	4	5
6	7	8	9	10 CA Farm Bureau Extension - 2022 CE Series ONLINE Class	11	12
				Fresno County Farm Bureau - CE Class - IN PERSON		