

Adoption of Azinphos-methyl Exposure Mitigation Regulation

Date established November 1, 2000

Enforcement letter ENF 2000-040

Effective date of regulation changes October 29, 2000. A copy of the affected regulations are attached.

Distribution County Agricultural Commissioners

Referrals If you have any questions, please contact your Senior Pesticide Use Specialist liaison.

Approval

original signed by

David Duncan, Acting Chief
Pesticide Enforcement Branch
(916) 445-3871

Background The Office of Administrative Law adopted Title 3, California Code of Regulations (3 CCR), section 6486.7 on September 29, 2000. This regulation requires employees that apply azinphos-methyl (AZM) using air carrier (air blast) ground equipment to wear protective clothing, unless an enclosed cab is used. This action also amends the chart footnote in 3 CCR section 6772(b) to clarify the definition of "other crops."

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Adoption of Azinphos-methyl Exposure Mitigation Regulation, Continued

Margin of exposure (MOE)

The Department of Pesticide Regulation (DPR) determined that the margin of exposure (MOE) was inadequate for certain uses of AZM. On April 14, 1999, DPR implemented emergency regulations pertaining to AZM exposure mitigation. That regulatory action adopted 3 CCR section 6486.7 and amended 3 CCR section 6772. Since the proposed regulations were noticed for final amendment, the manufacturer of AZM provided DPR with a human exposure study supporting current restricted entry intervals (REIs).

Based upon the new human No-Observed-Effect-Level study, DPR has confirmed that the REIs in 3 CCR section 6772 provide adequate protection to fieldworkers and, therefore, dropped those proposed regulation amendments.

This regulatory action

This regulatory action addresses only acute exposure to AZM. The Office of Environmental Health Hazard Assessment, which consulted with DPR in the development of these regulations, has identified a concern for repeated exposures to AZM. DPR is revising the exposure assessment and will address any inadequate MOEs in a future rulemaking action.

Attachment

3 CCR sections 6486.7 and 6772(b).

Attachments

cc: Mr. Daniel J. Merkley, Agricultural Commissioner Liaison (w/Attachments)

RH

FINAL TEXT OF REGULATIONS

TITLE 3. CALIFORNIA CODE OF REGULATIONS DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS

CHAPTER 2. PESTICIDES SUBCHAPTER 4. RESTRICTED MATERIALS ARTICLE 4. USE REQUIREMENTS

Current wording of the regulations is shown in normal type. Originally proposed additions are shown by underline. Originally proposed deletions are shown by ~~strikeout~~.

Adopt section 6486.7 to read:

6486.7. Azinphos-methyl.

(a) When employees apply azinphos-methyl using air carrier (air blast) ground equipment where any part of the airstream is directed at an angle above horizontal to the ground:

(1) Employee applicators shall wear a chemical-resistant suit over long-sleeved shirt and long-legged pants, chemical-resistant hood, chemical-resistant boots, chemical-resistant gloves, and a full-face respirator or a half-face respirator together with a face shield in addition to labeling-required personal protective equipment;

(2) If the employee applicator utilizes an enclosed cab and the work clothing and personal protective equipment specified in section 6738(i)(5), (6), and (7), the requirements in (1) do not apply. In situations specified in 6738(i), where respiratory protection is required inside an enclosed cab, the respiratory protection shall meet labeling requirements.

NOTE: Authority cited: Sections 12981 and 14005, Food and Agricultural Code.

Reference: Sections 12980, 12981, 14001 and 14006, Food and Agricultural Code.

CHAPTER 3. PEST CONTROL OPERATIONS
SUBCHAPTER 3. PESTICIDE WORKER SAFETY
ARTICLE 3. FIELD WORKER SAFETY

Amend section 6772(b) chart footnote (A) to read:

6772. Restricted Entry Intervals.

(b)

(A) This restricted entry interval for other crops applies to stone fruit, such as apricots, cherries, plums, and prunes, and pome fruit, such as pears, only. Stone fruit does not include almonds and other nut crops.

NOTE: Authority cited: Section 12981, Food and Agricultural Code.

Reference: Sections 12980 and 12981, Food and Agricultural Code.