

TEXT OF PROPOSED REGULATION

Current wording is indicated by regular type.
Proposed deletions are indicated by ~~strikeout~~.
Proposed additions are indicated by underline.

TITLE 3. CALIFORNIA CODE OF REGULATIONS
DIVISION 6. PESTICIDES AND PEST CONTROL OPERATIONS
CHAPTER 3. PEST CONTROL OPERATIONS
SUBCHAPTER 2. WORK REQUIREMENTS

Adopt Article 6 heading to read:

ARTICLE 6. USE OF CARBON MONOXIDE PEST CONTROL DEVICES

Adopt section 6695 to read:

6695. Use of Carbon Monoxide Pest Control Devices

(a) Each person using a carbon monoxide pest control device to perform pest control shall not:

(1) Use a carbon monoxide pest control device to control burrowing rodent pests unless the device bears the U.S. Environmental Protection Agency Establishment Number of the establishment in which it was manufactured.

(2) Use a carbon monoxide pest control device inside any structure inhabited by people or livestock, whether occupied or not.

(3) Use a carbon monoxide pest control device on a burrow opening within a certain distance of a structure inhabited by people or livestock, whether occupied or not. The distance shall be as follows:

(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.

(4) Use a carbon monoxide pest control device on a burrow opening known or believed to contain non-target vertebrate animals.

(5) Use a carbon monoxide pest control device for purposes other than to control for burrowing rodent pests.

(b) Whenever an employee operates a carbon monoxide pest control device to perform pest control for hire or for a local government, including a city, county, city and county, school district, park district, authority, or any other political subdivision of the state, the employer shall:

(1) Ensure that the employee wears protective eyewear that complies with the American National Standard for Occupational and Educational Personal Eye and Face Protection Devices ANSI Z87.1-2020 while the device is in use.

(2)(A) Retain records of the use of the carbon monoxide pest control device for two years and make those records promptly available to the Director or commissioner upon request.

(B) Records must include:

1. Date the device was used;

2. Name of the operator of the property treated;

3. Address of where the device was used;

4. Site at which the device was used; and

5. Length of time the device was operated for every treatment.

(3) Immediately submit to the Director factual or scientific information showing any adverse effect to human health or safety, property, or the environment, from the use of the carbon monoxide pest control device.

NOTE: Authority cited: Sections 11456, 11502 and 14161, Food and Agricultural Code.

Reference: Sections 11708, 11733, 12757, 14160, 14161 and 15316, Food and Agricultural Code.