

## Chapter 10: Pest Control Business Headquarters Inspection Report (PR-ENF-110)

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### **Multi- inspection form**

This headquarters inspection report form contains four different types of inspections for inspecting agricultural and structural pest control businesses. If the business has handler employees, the A and C or B and D inspections may be performed and documented on a single form. This form also allows dual inspections of persons who operate as both a structural PCB and as an agricultural PCB.

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### **Use as a follow- up inspection**

Headquarters Records and Employee Safety Records Inspections are conducted as a follow-up to inspections where violations have been documented. More frequent record inspections are justified when violations have been noted.

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### **Storage requirements**

The pesticide storage area is inspected to determine whether a business has control over its pesticide containers, stores them properly, and identifies the storage site with signs. Pesticides and containers must be stored in a manner that does not present a hazard to persons, animals, food, feed, crops or property. They also must be attended or in a locked enclosure.

Review previous storage inspection records and restricted materials listed on permits maintained by agricultural PCBs. Note the categories in which the qualified applicator is certified to operate. Note the pesticides stored in relation to the type of license held by a structural PCB.

Stored pesticides and empty containers are indications of use. Review the sites or crops on the labeling of stored pesticides and compare to the business's pesticide use reports.

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## A./B. Headquarters and Employee Safety Inspections

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**Purpose**

This inspection is to determine whether agricultural PCBs (including maintenance gardeners) and structural pest control businesses with employees handling pesticides comply with applicable worker safety requirements.

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**Criteria for inspection**

Headquarters and Employee Safety Inspections should only be conducted when the employer has employees. You should conduct a Headquarters and Employee Safety Inspection of PCBs and SPCBs at a frequency agreed to in your enforcement work plan.

In addition to record reviews, observations, and employer interviews, you should interview handler and fieldworker employees when they are available. See [Compendium Volume 4 Appendix 2](#) and [Compendium Volume 4 Chapter 1 “Talking to employees and employers”](#) in for more information and instructions..

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# Headquarters and Employee Safety Inspection Requirements

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## 1. Notice Prior to Pesticide Application

3CCR section 6618

Scope: For all pesticides.

- Any person performing pest control must assure that the operator of the property receives notice of the scheduled application. The notice must be made prior to the use of a pesticide and in ample time for all subsequent notices to be made and for the persons notified to take appropriate action. A notice of completion is also required for applications made for the production of an agricultural commodity. (3CCR section 6619)
- The operator of the property and any PCB, farm labor contractor or other contractor hired by the operator of the property that have employees who are likely to enter a field during an application or while the REI is in effect must notify those employees. Handler and fieldworker employees who may walk within ¼ mile of a field that will receive an application or during a REI are deemed in regulation as likely to enter. 3CCR sections 6618(a)(3) and (4)
- The operator of the property must provide notice to any person for which they have prior knowledge may enter a treated area during an application or while the REI is in effect. (3CCR section 6618(a)(6))
- Property operators will also need to be informed of:
  - Date(s), start time(s), and estimated end time(s).
  - If pesticide labeling requires posting, oral notification, or both.
  - If there is change in the notice of the scheduled application.
  - The notice must also include instructions not to enter the field to be treated and its application exclusion zone (3CCR section 6762).

### **Agricultural PCBs:**

Verify that the PCB assures that the operator of the property receives notice of the scheduled application before any pesticide is applied and in ample time for subsequent notifications to be made and for appropriate action to be taken by those given notice. The notice must include the precautions related to the safety of persons. Examples of precautions to include in the notice are re-entry intervals required by labeling or regulation, posting requirements, protective clothing requirements for early entry, and preharvest intervals.

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# Headquarters and Employee Safety Inspections Requirements, Continued

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## 1. Notice Prior to Pesticide Application (continued)

### 3CCR section 6618

Although 3CCR section 6618 does not specifically require that the notification be a written document, many PCBs use written notices to comply with this requirement. Review any written notification records the PCB has on file. Do they contain the necessary information? If the PCB is providing notice in a manner other than through written notices, verify the method and adequacy of the notice provided.

Verify that the PCB is maintaining the records required by 3CCR section 6619(h).

Verify that the PCB receives notices from their property operators of applications not performed by the subject PCB and provides these notices to any of their handler employees who may enter or walk within ¼ mile of fields that have REIs or that will be treated on the date of the application.

#### **Structural PCBs:**

This item is shaded for SPCBs. Notice requirements for SPCBs are covered in requirement 18, B&P Code section 8538 on the Licensed Pest Control Business Records/Storage Inspection.

#### Exemptions:

- Persons who applied or supervised the application.

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# Headquarters and Employee Safety Inspections Requirements, Continued

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## 2. Emergency Medical Care Planned

3CCR section 6726

Scope: All employers of handlers of any pesticide.

Employers must arrange for emergency medical care before employees handle pesticides. These arrangements must be planned for in advance.

- Ask the employer how these arrangements were made.
- Are you familiar with the emergency facility?
- Verify the facility is capable of handling pesticide illness/injury.
- How does the employer assure that the medical information is posted at remote worksites?

Employers are required to post in a prominent place at the work site, or in the work vehicle if there is no designated area, the name, address, and telephone number of an emergency medical care facility. If the facility is not reasonably accessible from that work location, there needs to be procedures for obtaining emergency medical care when the listed facility is not reasonably accessible. The local poison control center's number or a supervisor's name with no additional information is inadequate as is simply displaying "Call 911 in the case of Emergency".

Additional WPS requirements (for handlers involved in the commercial or research production of an agricultural commodity) require the employer provide to medical personnel treating the employee with the following:

- Copies the Safety Data Sheet(s), the product name(s), U.S. Environmental Protection Agency registration number(s), and active ingredient(s) for each pesticide product.
- Circumstances of application or use of the pesticide.
- Circumstances that could have resulted in exposure to the pesticide.

Employers must ensure that a handler employee is taken to a physician when there are reasonable grounds to suspect that the employee has a pesticide illness/injury or when an exposure that would likely cause an illness/injury has occurred.

- Ask the employer if there have been any incidents in the recent past and how it was handled.
- Ask how the employer would respond if an incident did occur.

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# Headquarters and Employee Safety Inspections Requirements, Continued

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## 2. Emergency Medical Care Planned (continued)

3CCR section 6726

### Exemptions:

- Antimicrobial agents used as sanitizers, disinfectants or medical sterilants exempt under the conditions of 3CCR section 6720.
  - PCAs or professional foresters performing crop adviser tasks. 3CCR section 6720
  - Consumer products see 3CCR section 6720.
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## 3. Change Area

3CCR section 6732

### Scope:

Employers of any persons who regularly handle “DANGER” or “WARNING” pesticides.

Employers of persons who handle any pesticides in the commercial or research production of an agricultural plant commodity.

Inspect the place where employees end their exposure to pesticides and remove personal protective equipment. Does the employer maintain an area where employees can change clothes and wash themselves? The employer must provide a clean storage area for personal clothing.

Employees handling pesticides for the commercial or research production of an agricultural plant commodity, the change area must also meet 3CCR section 6734(a), (b)(1), and (b)(2).

- Sufficient water, soap and single use towels for routine washing and for emergency eye flushing and washing of the entire body.
- At least three gallons per handler at the beginning of the workday.
- Hand sanitizing gels and liquids or wet towelettes are not acceptable

Ask an employee to describe the procedures they follow to decontaminate and change clothes at the end of the day.

### Exemptions:

- Antimicrobial agents used as sanitizers, disinfectants or medical sterilants are exempt under the conditions of 3CCR section 6720.
  - Consumer products see 3CCR section 6720(e).
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# Headquarters and Employee Safety Inspections Requirements, Continued

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## 4. Proper Storage of Personal Protect Equipment (PPE)

### 3CCR section 6738(a)

Scope: Employers of persons who handle any pesticides.

Inspect the personal protective equipment on site. Is the PPE kept in a clean, specially designated place when not in use? Examples of proper storage are lockers or assigned tote bags. Equipment left on the floor or stuffed under the seat of a mix or load vehicle is not considered proper storage. A pesticide storage area is not a proper place for storage of safety equipment. PPE must be kept separate from personal clothing. Respirators must be stored in a place that also protects them from dust, heat, and direct sunlight. See 3CCR section 6739(h)(4).

- Does the employer provide for the daily inspection and cleaning of all required PPE, and repairs or replaces any worn, damaged, or heavily contaminated PPE??
- Does the employer keep and wash potentially contaminated PPE separate from other clothing or laundry? Does the employer assure that any person or firm assigned or hired to clean or repair potentially contaminated PPE is protected and informed.
- PPE remains the property of the employer and that pesticide handlers are not to take contaminated PPE into their homes.
- Employees who do not return to the employer's headquarters shall remove and store potentially contaminated coveralls in a sealable container outside of their living quarters.

Title 3CCR section 6738(a) standards also apply to owners or operators when required by pesticide labeling to use PPE. (See 3CCR section 6601 Application of Standards).

Exemptions:

- Antimicrobial agents used as sanitizers, disinfectants or medical sterilants are exempt under the conditions of 3CCR section 6720.
- Consumer products, 3CCR section 6720(e).

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# Hazard Communication and Training Requirements

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## 5. Hazard Communication

### 3CCR section 6723

Scope: Employers of employees who handle any pesticide.

Examine the employer's display of a completed Pesticide Safety Information Series (PSIS) leaflet A-8 or N-8 at the central location of the workplace. Is it complete? Do employees have unimpeded access to the document? Verify that the employer is also maintaining, at a central location, the following documents:

- Pesticide use records for pesticides handled by employees.
- Copies of PSIS leaflets applicable to the pesticides and handling activities listed in the pesticide use records.
- The A-8 posted at all permanent decontamination facilities and decontamination facilities servicing 11 or more handlers.
- Changes in name, address, or telephone number of the facility providing emergency medical on the A-8 must be updated within 24 hours.
- Safety Data Sheet (SDS) for each pesticide handled by employees.

Interview the employer and employees to verify the availability and access to the required records. The employer must inform employees where the records are kept, and they must grant employees access to the records no longer than 48 hours from the date of request by an employee, employee's physician, or employee representative. An employee representative's request must be in writing with the information required in 3CCR section 6723 (d)(1-4).

Identify the pesticides handled by reviewing employee training records, pesticide use records, and pesticide use reports. Then determine whether the employer is maintaining the appropriate PSIS leaflets and SDS. If the employer is unable to obtain an SDS, the employer must comply with the requirements of 3CCR section 6723(b)(3).

Exemptions:

- Antimicrobial agents used as sanitizers, disinfectants or medical sterilants are exempt under the conditions of 3CCR section 6720.
- Consumer products, 3CCR section 6720(e).

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## Hazard Communication and Training Requirements, Continued

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**6. Trainer  
Qualified**

Scope: Employers of persons that handle any pesticides for the commercial or research production of an agricultural commodity.

**3CCR section  
6724(f)**

The individual conducting training for employees handling pesticides for the commercial or research production of an agricultural plant commodity or handling a California restricted material must be qualified as one of the following:

- A California certified private or commercial applicator,
- A California licensed PCA,
- A County Biologist License in Pesticide Regulation or Investigation and Environmental Monitoring,
- A University of California Extension Advisor,
- Having completed an “instructor training” program presented by:
  - The University of California, Integrated Pest Management Program, or
  - Other instructor training program approved by the Director,
- A California Registered Professional Forester, or
- Other trainer qualification approved by the Director.

Mark “Yes” when:

- Employees who handle pesticides for the commercial or research production of an agricultural commodity or handle restricted materials are trained by a qualified trainer.

Mark “No” when:

- The trainer who provided the training for employee(s) handling pesticides for commercial or research production of an agricultural commodity or restricted materials is not qualified to provide training.

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## Hazard Communication and Training Requirements, Continued

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### 6. Trainer Qualified (continued)

#### 3CCR section 6724(f)

Mark “N/A” when:

- Handlers are not employees, or
- Handlers are licensed PCAs, registered professional foresters, certified private or commercial applicators including journeyman pilots, or certified apprentice pilots (manned or unmanned), or
- The only pesticides handled are consumer products when the use is not significantly greater than the typical consumer use of the product, (3CCR section 6720 (e)), or
- The only pesticides handled are antimicrobial agents used as sanitizers, disinfectants or medical sterilants, and the employer follows the conditions of 3CCR section 6720(c).

Exemptions:

- Handlers who are not employees.
  - Consumer products, see 3CCR section 6720(e).
  - Antimicrobial agents used as sanitizers, disinfectants or medical sterilants when the employer follows the conditions of 3CCR section 6720(c).
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### 7. Written Training Program

#### 3CCR section 6724(a)

Scope: Employers of pesticide handlers.

Employees who are a licensed PCA, a registered professional forester (3CCR section 6720(d)(1)), a certified private or commercial applicator (3CCR section 6000 Definitions), or a certified apprentice pilot (manned and unmanned) (see 3 CCR section 6724(d)) are considered trained.

If employees handle pesticides, ask the employer how handlers are trained. The employer must have a written training program. Evaluate the employer’s training program, the materials used, the information provided and used to train employees. Does it:

- Describe the training materials used (such as: study guides, pamphlets, labeling, PSIS leaflets, SDSs, and videos) and information provided?
- Identify the individual or firm that provided the training?
- Address each required topic listed in 3CCR section 6724(b)?

Ensure the written training program addresses each of the requirements by asking the inspected party about the training program. Compare the date of the training to when the employee the employee handled pesticides. An individual’s training record is not a written training program.

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## Hazard Communication and Training Requirements, Continued

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### 7. Written Training Program (continued)

#### 3CCR section 6724(a)

Employers are not required to use handler training program templates developed by the Department or County Agricultural Commissioner's office when the training program meets each applicable requirement topics for each pesticide or chemically similar group (3CCR section 6724(b)). When not using the Department or County Agricultural Commissioner template, verify the topics are covered by asking the inspected party to explain where each of the topics in 3CCR section 6724(b) are addressed.

Mark "Yes" when:

- The written handler training is complete, available, and maintained for two at least years; and
- Handler training covers each of the required training topics, pesticide, for chemically similar groups or for each pesticide; and,
- Training was provided before employees handled pesticides, conducted at least every 12 months; and,
- Training records are complete, maintained for two years.

Mark "No" when:

- Training is missing information, not available, or not maintained for two years; or
- Training does not address each of the required training topics, or does not cover each pesticide or chemically similar group of pesticide.

Mark "N/A" when:

- Handlers are not employees; or
- Handlers are licensed PCAs, registered professional foresters, certified commercial applicators (3CCR section 6000), or certified apprentice pilots (manned and unmanned); or
- Pesticide(s) handled are consumer products when the use is not significantly greater than typical consumer use of the product (3CCR section 6720 (e)); or
- Pesticides handled are antimicrobial agents used as sanitizers, disinfectants or medical sterilants, and the employer follows the conditions of 3CCR section 6720(c).

Exemptions:

- Handlers are not employees.
- Consumer products, see 3CCR section 6720(e).
- Antimicrobial agents used as sanitizers, disinfectants or medical sterilants when the employer follows the conditions of 3CCR section 6720(c).

## Hazard Communication and Training Requirements, Continued

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### 8. Handler Training

#### 3CCR section 6724(b-e)

#### **Employee training for each pesticide or chemically similar group of pesticides 3CCR section 6724(b)**

Scope: Employees who handle pesticides.

Employers must train employees before they handle pesticides, including pesticides exempt from registration under FIFRA section 25(b) and 3CCR section 6147.

Pesticide handler safety training must be conducted by a person who meets the qualifications included in 3CCR section 6724(f) for employees handling pesticides:

- For the commercial or research production of an agricultural plant commodity, or
- In any setting where the pesticide is a restricted material(s) specified in 3CCR section 6400, which include California Restricted Materials and Restricted Use Pesticides.

Employees who are a licensed PCA, a registered professional forester (3CCR section 6720(d) (1)), a certified private or commercial applicator (3CCR section 6000 Definitions), or a certified apprentice pilot (manned and unmanned) (3CCR section 6724(d)) are considered trained.

The employer-provided training must cover each pesticide or chemically similar group of pesticides used. **Chemically similar group of pesticides does not mean grouping insecticides, herbicides, and fungicides together.** Pesticides with the same active ingredient may have for example, different precautions, personnel protective equipment, or directions of use and may need to be addressed individually.

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## Hazard Communication and Training Requirements, Continued

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### 8. Handler Training (continued)

#### 3CCR section 6724(b-e)

3CCR section 6724(b) requires the training to cover other applicable requirements in 3CCR Division 6 Chapters 3 and 4 relating to pesticide safety. This includes, but is not limited to:

- Availability of labeling – 3CCR section 6602
- Accurate measurement – 3CCR section 6604
- Equipment cleaning and maintenance– 3CCR sections 6608 and 6744
- Wellhead protection, backflow prevention – 3CCR sections 6609 and 6610
- Protection of persons, animals, and property – 3CCR sections 6614
- Pesticide storage and transportation, pesticide container, and service container requirements – 3CCR sections 6670 and 6686
- Change areas – 3CCR section 6732
- Decontamination facilities – 3CCR section 6734
- Instruction on the safe operation of equipment used to mix, load, transfer, or apply pesticides – 3CCR sections 6742(a) and 6746(d)
- Application exclusion zone requirements – 3CCR section 6762(c)
- Requirements for early entry employees – 3CCR sections 6670 and 6771
- Minimal exposure pesticides – 3CCR sections 6790 through 6793
- Identifying CA restricted materials or Restricted Use Pesticides.

When a Restricted Use Pesticide or California restricted material is used by a noncertified applicator, the training must cover:

- Identifying on the labeling if the product requires a certified applicator to be physically present during the use of the pesticide,
- The certified applicator’s responsibility to provide instruction including labeling directions, precautions, and requirements for the specific use and site;
- How the characteristics of the use site (e.g., surface and ground water, endangered species, local population) and the conditions of application (e.g., equipment, method of application, formulation) might increase or decrease the risk of adverse effects; and
- How each employee can immediately communicate directly with the supervising certified applicator.

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## Hazard Communication and Training Requirements, Continued

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### 8. Handler Training (continued)

#### 3CCR section 6724(b-e)

Prior to the inspection, consider reviewing the pest control operation's submitted pesticide use reports. For example, does the operation apply:

- Pesticides requiring medical supervision?
- Pesticides requiring a respirator?
- Minimal exposure pesticides?
- Surface water protection pesticides?
- Restricted materials or federal Restricted Use Pesticides?

Having basic information about the operation's pesticide use may assist your review of the employer's training program and training records, however, always be prepared for situations not addressed in the pesticide use reports.

Note, documentation of training does not necessarily mean an employer has properly trained their employees. Was the training adequate? Is the training provided in a language and manner the employees understand?

When a noncompliance is found document your findings and how the employer did not meet the requirement(s) of 3CCR section 6724 in the "Requirement Details" or the "Remarks" section of the inspection report.

### **Providing training to employees 3CCR section 6724 (c)**

Training must be given to the employee in a manner they can understand. For example, if the employer's training was offered in Spanish but the employees do not speak or understand Spanish, this would not meet the requirement.

The training must be at a location reasonably free of distraction, and the training provided must follow the employer's written training program. Trainer(s) must be present during the entire presentation and respond to employee questions.

Training can be conducted via live video or web streaming (e.g., Zoom or Teams) as long as the trainer can conduct the training, see all attendees, and answer questions from attendees during the training. Audio-only (e.g. telephone) training does not meet the standard for the presenter to be "present" to monitor the audience, facilitate discussion, and promote interaction among attendees.

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## Hazard Communication and Training Requirements, Continued

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### 8. Handler Training (continued)

#### 3CCR section 6724(b-e)

Ask the employee(s) handling pesticides about the training they received, where the training was held, if the trainer was present during the training, and to describe the training for example, what materials were used, did the trainer use videos and were they present during the video to answer questions. Ask for the location where the training was held, for example in a shop where equipment is being worked on or in a room away from any distractions.

See [Compendium Volume 4 Chapter 1 General Inspection Procedures Conducting the Inspection](#) “Talking to Employers and Employees”.

#### **Training provided before employees handle pesticides and maintenance of records for two years 3CCR section 6724 (d)**

Employers must provide employees training before they are allowed to handle pesticides and update the training when new pesticides will be handled. The training must be repeated at least annually (every 12-months) and the employer must maintain training records for two years.

Initial training may be waived if the employee submits a record showing the training, they received within the last year covers the pesticides and use situations applicable to the new employment situation.

Review documents which provide information on the employees who handle pesticides and compare it with the date(s) of the training the pesticides listed to confirm training was provided before the employee handled the pesticide(s).

When a certified applicator who is considered a noncertified applicator under 3CCR section 6406(a)(2)-(4) uses a California restricted material under supervision of a certified applicator, the employer must maintain for at least two years the following information:

- A copy of the employee’s license or certificate; or
- A record with the following:
  - Employee name,
  - License or certificate type, number, and category(ies),
  - Expiration date, and
  - Name of the issuing certifying authority.

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## Hazard Communication and Training Requirements, Continued

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**8. Handler  
Training  
(continued)**

**Employee training record information and record retention 3CCR  
section 6724 (e)**

**3CCR section  
6724(b-e)**

Employee training records must be maintained for two years at the central location, be accessible to the employee(s), and be provided to the employee, Director, or commissioner upon request. The employer must also make this training record accessible to a certified private or commercial applicator supervising an employee using a pesticide listed in 3CCR section 6400.

Training records must have the following information:

- The date and extent of initial and annual training,
- Job assignment (e.g., mixer/loader, applicator, service/repair),
- Employee's printed name and signature,
- The title(s) and source(s) of training materials used, and
- The employer's name and trainer's name.

In addition to the above, if the employee handles pesticides for the commercial or research production of an agricultural commodity or handles a California restricted material (including federal Restricted Use Pesticides), the record must also include the trainer's qualifications specified in 3CCR section 6724(f).

Verify the employee's training record has the required information, and the employer maintains it at the central location for two years. If employees handle restricted materials, ask the employer how the training records are made available to the certified applicator supervising an employee using a restricted material. Compare the date of the training to the employee's work documents or employer's pesticide use reports to verify the employee was trained on the pesticide or chemically similar class prior to handling the pesticide.

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## Hazard Communication and Training Requirements, Continued

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### 8. Handler Training (continued)

#### 3CCR section 6724(b-e)

Mark “Yes” when:

- The written handler training is complete, available, and maintained for two at least years; and
- Handler training covers each of the required training topics, pesticide, for chemically similar groups or for each pesticide; and,
- The training was presented in a manner employees can understand; and
- There were no distractions during the training, the trainer was present during the entire training, and was available to answer any questions; and,
- Training was provided before employees handled pesticides, conducted at least every 12 months; and,
- Training records are complete, maintained for two years; and
- Employees who handle restricted materials are trained by a qualified trainer and the addition requirements were covered.

Mark “No” when:

- Training is missing information, not available, or not maintained for two years; or,
- Training does not address each of the required training topics, or does not cover each pesticide or chemically similar group of pesticide; or
- Training was provided after employees handled pesticides; or,
- The training was not provided in a manner the employee can understand; or
- The trainer was not available to answer questions, the training was held at a location where there were distractions; or
- Training has not been provided annually (every 12-months), or
- Information for the certified applicator who is considered a noncertified applicator under 3CCR section 6406(a) who handles a California restricted material is not available for two years; or
- The training record is missing the information in 3CCR section 6724(e), not available for two years; or
- The trainer who provided training for employees handling restricted materials is not qualified to provide training.

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## Hazard Communication and Training Requirements, Continued

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**8. Handler  
Training  
(continued)**

**3CCR section  
6724(b-e)**

Mark “N/A” when:

- Handlers are not employees; or
- Handlers are licensed PCAs, registered professional foresters, certified commercial applicators (3CCR section 6000), or certified apprentice pilots (manned and unmanned); or
- Pesticide(s) handled are consumer products when the use is not significantly greater than typical consumer use of the product (3CCR section 6720 (e)); or
- Pesticides handled are antimicrobial agents used as sanitizers, disinfectants or medical sterilants, and the employer follows the conditions of 3CCR section 6720(c).

Exemptions:

- Handlers are not employees.
- Consumer products, see 3CCR section 6720(e).
- Antimicrobial agents used as sanitizers, disinfectants or medical sterilants when the employer follows the conditions of 3CCR section 6720(c).

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# Respiratory Protection Program Requirements

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## 9. Written Program

### 3CCR section 6739(a)

Scope: Employers of wearing respirators when required by any pesticide labeling, restricted material permit condition, regulation or the employer; and employers that provide respirators for voluntarily use.

Identify the respirator program administrator. Is the administrator qualified? Can the administrator answer your questions about the program? (3CCR section 6000 definition of respirator program administrator).

Review the employer's written respiratory protection program with work site-specific procedures. Does it contain written operating procedures for selecting, fitting, cleaning, sanitizing, inspecting, and maintaining respiratory protective equipment? Each person required to wear a respirator must be trained in the need, use, care and limitations of the equipment. Verify that the respirators and cartridges used are the types required by labeling, permit or regulation.

The employer shall evaluate the workplace to ensure the written program is being implemented and is effective. The employer shall consult each employee annually to assess the program and determine if the employee has had any problems related to the use of a respirator. If there are any negative findings, the employer must revise the written respiratory protection program to address them. Any problems found during the assessment shall be corrected. The employer must maintain the current version of the written respiratory protection program. All previous versions of the document must be retained for three years subsequent to it being amended.

Ask the employees how they were fit tested and if they have had any problems with the use of respirators. Ask the employer how they conduct evaluations to ensure compliance with the respirator program. Verify that the type of respirator and cartridge are appropriate for the pesticides handled.

For more information regarding employer requirements for respiratory protection, refer to [Compendium Volume 4 Appendix 1, Personal Protective Equipment Requirements, Pesticide Safety Information Series, A No. 5](#) "Respiratory Protection" and the "[Generic Guidelines for Development of a Respiratory Protection Program](#)" document available from DPR's Worker Health and Safety Branch.

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## Respiratory Protection Program Requirements, Continued

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### 9. Written Program (continued)

#### 3CCR section 6739(a)

#### Exemptions:

- Employees who voluntarily use filtering facepiece respirators provided by the employer.
  - Employees who voluntarily use any respirator not provided by the employer.
  - PCAs or professional foresters performing crop advisor tasks. (3CCR section 6720(d)(1))
  - Consumer products. (3CCR section 6720(e))
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### 10. Medical Evaluation

#### 3CCR section 6739(q) and (s)

Scope: Employers of employees wearing respirators when required by registered pesticide labeling, restricted material permit condition, regulations, the employer, or voluntarily use respirators supplied by the employer.

Verify that there is a medical recommendation form for each employee assigned to work that requires wearing a respirator. Does it allow the employee to wear a respirator? Records generated from online evaluations are acceptable but must identify the physician or licensed health care professional and the evaluated employee.

The physician or health care professional will likely keep the medical evaluation questionnaires for each employee because they are considered confidential under the American Health Insurance Portability and Accountability Act (HIPAA). It is not necessary to inspect the questionnaires.

#### Exemptions:

- Employees who voluntarily use filtering facepiece respirators provided by the employer.
  - Employees who voluntarily use any respirator not provided by the employer.
  - PCAs or professional foresters performing crop advisor tasks. (3CCR section 6720(d)(1))
  - Consumer products. (3CCR section 6720(e))
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## Respiratory Protection Program Requirements, Continued

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### 11. Fit Test Records

#### 3CCR section 6739(p)(2)

Scope: Employers of employees wearing respirators when required by registered pesticide labeling, restricted material permit condition, regulations or the employer.

Ask the employer for the current respirator written program. Previous programs shall be retained for three years. How does the employer perform employee fit testing. Ask what procedure is used to assure that respirators are cleaned and sanitized and where the equipment is stored.

Review the fit test records and verify that they contain the required information:

- Name or identification of employee tested
- Date and type of test
- Specific make, model and size of respirator tested
- Test results

#### Exemptions:

- Employees who voluntarily use filtering facepiece respirators provided by the employer.
- Employees who voluntarily use any respirator not provided by the employer.
- PCAs or professional foresters performing crop advisor tasks. (3CCR section 6720(d)(1))
- Consumer products. (3CCR section 6720(e))

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*Continued on next page*

## Respiratory Protection Program Requirements, Continued

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### 12. Respirators Inspected

#### 3CCR section 6739(j)(1)

Scope: Employers shall assure:

Maintenance of routine-use respirators when required by any pesticide labeling, restricted material permit condition, regulation or the employer.

Maintain emergency-use or second respirators air cylinders at 100% of manufacturer's recommended capacity.

Emergency-use respirators are to be inspected monthly according to routine-use criteria, manufactures recommendations.

Escape only respirators must be inspected according to routine-use inspection criteria.

Verify that routine-use respirators are inspected before each use and during cleaning. Verify that at least one routine-use SCBA cylinder at the use site starts the day at 80 percent of capacity or greater.

Verify that respirators maintained for stand-by or emergency-use, are inspected at least monthly. A record of the most recent inspection shall be maintained on the respirator or its storage container.

Verify that emergency respirators are stored in clearly marked containers accessible to the work area in a manner that they can be safely utilized in an emergency. (3CCR section 6739(i))

Exemptions:

- Employees who voluntarily use filtering facepiece respirators provided by the employer.
- Employees who voluntarily use any respirator not provided by the employer.
- PCAs or professional foresters performing crop advisor tasks. (3CCR section 6720(d)(1))
- Consumer products. (3CCR section 6720(e))

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## Respiratory Protection Program Requirements, Continued

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### 13. Respirator Storage

#### 3CCR section 6739(h)(4)

Scope: Employers storing respirators when respirator use is required by registered pesticide labeling, restricted material permit condition, regulations or the employer provides respirators to employees.

Verify that respirators are stored in a manner that protects them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture and damaging chemicals. Respirators must also be stored in a manner that prevents the face-piece and exhalation valve from deformation.

Exemptions:

- PCAs or professional foresters performing adviser tasks. (3CCR section 6720)
  - Consumer products. (3CCR section 6720(e))
- 

### 14. Voluntary Respirator Use Display

#### 3CCR section 6739(b)(2)

Scope: Employers that permit employees to use respirators when not required by registered pesticide labeling, restricted material permit condition, regulations or the employer.

Verify that the information listed in 3CCR section 6739(r) is displayed alongside the PSIS A-8 or N-8 as appropriate.

If it is determined that employees are voluntarily wearing respirators (other than a filtering face-piece/dust mask) and that the employer provides the respirators, the employer shall establish and implement the provisions of a written respiratory protection program to ensure the employee is medically able to use that respirator, and that the respirator is cleaned, stored, and maintained so that there is no health hazard to the user.

Exemptions:

- PCAs or professional foresters performing adviser tasks. (3CCR section 6720)
  - Consumer products. (3CCR section 6720(e))
- 

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## Medical Supervision Requirements

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**15. Use Records Retained / 3 Years** Scope: Employers of employees who handle organophosphate or carbamate pesticides with the signal word “DANGER” or “WARNING” for the commercial or research production of an agricultural plant commodity.

**3CCR section 6728(a)** Based on your knowledge of the employer's operation, your review of PURs and inspection of pesticides stored on the establishment, determine if there are employees handling organophosphate and carbamate pesticides with the signal word “DANGER” or “WARNING” for production plant agriculture. If so, review the exposure records for each employee and determine if they require medical supervision. The employer shall maintain use records that include:

- Name of the employee.
- Name of the pesticide.
- Date of use.

The employer may use other required documentation to fulfill this requirement but it must be sufficient to allow determination of those employees that regularly handle organophosphate or carbamate pesticides with the signal word “DANGER” or “WARNING”.

This information may also be useful if it becomes necessary to review records while performing an illness investigation. These records must be maintained for a period of three years.

Note: The active ingredient Ethephon is an organophosphonate, and not an organophosphate. Pesticides registered for agricultural use in California that contain Ethephon (e.g., Ethrel, Proxy, CottonQuick) are not covered by 3CCR section 6728.

Exemptions: Consumer products. (3CCR section 6720(e))

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## Medical Supervision Requirements, Continued

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**16. Doctor's Agreement Available / 3 Years**

Scope: Employees who regularly handle organophosphate or carbamate pesticides with the signal word "DANGER" or "WARNING" for the commercial or research production of an agricultural plant commodity.

**3CCR section 6728(b)**

When employee(s) regularly handles a pesticide with the signal word "DANGER" or "WARNING" verify the employer has a written agreement stating the physician has agreed to provide medical supervision. The signed agreement must include:

- The names and addresses of both the employer and physician, stating the physician has agreed to provide medical supervision and has a copy, and is aware, of the contents of the Medical Supervision of Pesticides Workers – Guideline for Physicians.
- A copy of the agreement must be provided to the commissioner when an employee begins to regularly handle pesticides.

An employee is regularly handling pesticides if the employee handles pesticides for more than six calendar days in 30 consecutive days. Any amount of time in a 24-hour period is considered a day. The 30-day period is any 30 consecutive days beginning with each use. It cannot be divided by months or any other arbitrary demarcation.

Physicians choosing to be medical supervisors are required to register with Office of Environmental Health Hazard Assessment (OEHHA). To confirm a physician has registered, a list can be found at, [California Office of Environmental Health Hazard Assessment List of Registered Medical Supervisors](#).

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## Medical Supervision Requirements, Continued

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**16. Doctor's Agreement Available / 3 Years**

**3CCR section 6728(b)**

Mark "Yes" when:

- The employer has a copy of the signed medical supervision agreement and recommendations from a physician, and
- The physician is registered with OEHHA, and
- The commissioner was provided with a copy of the medical agreement.

Mark "No" when:

- The employer does not have a copy of the medical agreement, or recommendations; or
- The employer did not provide the commissioner with a copy of the medical supervision agreement; or
- The physician is not registered with OEHHA.

Mark "N/A" when:

- "DANGER" or "WARNING" organophosphate or carbamate pesticides are not used; or
- Employees do not regularly handle "DANGER" or "WARNING" organophosphate or carbamate pesticides; or
- The use is other than research or production of an agricultural commodity; or
- Mixing or loading "DANGER" or "WARNING" organophosphate or carbamate pesticides while only using a closed system or mixing using water-soluble packets.

Exemptions:

- Consumer products. (3CCR section 6720(e))
- If an employee has a baseline blood cholinesterase level established pursuant to 3CCR section 6728(c)(1), the time spent exclusively using a closed system or water-soluble packets is not included in the 6-day, regularly handle calculation.

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## Medical Supervision Requirements, Continued

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### 17. Records/3 years

#### 3CCR section 6728(c)

Scope: Employers of persons who regularly handle organophosphate or carbamate pesticides with the signal word “DANGER” or “WARNING” for the commercial or research production of an agricultural plant commodity

3CCR section 6728(c)(1): The employer shall ensure for employees who regularly handle that:

- A baseline red cell and plasma cholinesterase was established.
- The baseline was established after a period of at least 30 days where the employee had no exposure to organophosphate or carbamate pesticides.
- Baseline values were verified every two years.
- For new employees, previously established baseline values may be excepted if they were obtained following these regulations by the same laboratory methodology and are acceptable to the laboratory analyzing the new employee's blood samples.

Employee(s), who have not been under medical supervision must have red cell and plasma cholinesterase determinations within three working days at the end of each 30-day period when regularly handling. After three tests at 30-day intervals, additional monitoring shall be at intervals specified in writing by the medical supervisor (excluding baseline verification). When there is no written recommendation made by the medical supervisor for continued periodic monitoring, the testing interval shall be every 60 days.

The employer shall maintain records of:

- The medical supervision agreement to provide medical supervision,
- Use records (records of when employee(s) regularly handle),
- All medical supervisor recommendations, and
- All results of cholinesterase tests required to be made on the employee(s).

Records shall be maintained for three years and shall be available for inspection by the employee, the director, commissioner, county health official, or state health official.

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## Medical Supervision Requirements, Continued

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**17. Records/3  
years  
(continued)**

**3CCR section  
6728(c)**

Mark “Yes” when:

- The employer maintains a copy of the medical agreement, use records, medical supervisor’s recommendations, and the name of the employee with the date(s) of the test results.

Mark “No” when:

- The employer does not maintain copies of each of the required document for three years.

Mark “N/A” when:

- “DANGER” or “WARNING” organophosphate or carbamate pesticides are not used; or
- Employees do not regularly handle “DANGER” or “WARNING” organophosphate or carbamate pesticides; or
- The use is other than research or production of an agricultural commodity; or
- Mixing or loading “DANGER” or “WARNING” organophosphate or carbamate pesticides while only using a closed system or mixing using water-soluble packets.

Exemptions:

- If an employee has a baseline blood cholinesterase level established pursuant to 3CCR section 6728(c)(1), the time spent exclusively using a closed system or water-soluble packets is not included in the 6-day, regularly handle calculation.
- Consumer products. (3CCR section 6720(e))

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## Medical Supervision Requirements, Continued

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**18. Medical Supervision Posting**

Scope: Employers of employees who regularly handle organophosphate or carbamate pesticides with the signal word “DANGER” or “WARNING” for the commercial or research production of an agricultural plant commodity.

**3CCR section 6728(c)(5)**

Confirm that the name, address, and phone number of the medical supervisor is posted in a prominent place at the headquarters or other location where employees start the workday. If the employee starts the workday in the field, the information must be posted at each worksite or in the work vehicle. This posting requirement is in addition to the emergency medical care posting requirement. (3CCR section 6726)

Exemptions:

- If an employee has a baseline blood cholinesterase level established pursuant to 3CCR section 6728(c)(1), the time spent exclusively using a closed system or water-soluble packets is not included in the 6-day, regularly handle calculation. (3CCR section 6000, definition of regularly handle).
- Consumer products. (3CCR section 6720(e))

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## C./D. Licensed Pest Control Business Records/Storage Inspection

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**Purpose**

Licensed Pest Control Business Records Inspections are to determine the licensing and registration status, record keeping conformity, and proper supervision of applications by a qualified person. Agricultural pest control businesses (PCBs) include maintenance gardener businesses (MGBs). Structural pest control businesses include those companies registered with the Structural Pest Control Board (SPCB) as Branch 1, 2 or 3.

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**Inspection Criteria**

Licensed Pest Control Business Records Inspections should be performed on principal and branch business offices located in your county at a frequency agreed to in your enforcement work plan. Prior to conducting the inspection, check county office records for registration and notification information, previous inspections, and use reporting. Note any recent deficiencies.

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# Records Requirements

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**1. Business  
Licensed**

Scope: Any business performing pest control for another person for any compensation. This includes soliciting and advertising for pest control work. Pest control is defined in FAC section 11403.

**FAC section  
11701**

Check agricultural companies for a valid business license issued by the California Department of Pesticide Regulation. Both principal (main) and branch pest control business locations must be currently licensed. A branch location is any office, other than the principal office, that engages in pest control business activities for the company. The requirement for branch licensing applies to all PCBs.

When inspecting a business license in the maintenance gardener category, verify that the pest control conducted is incidental to the primary business of gardening. At a minimum, this means the maintenance gardener must have a general maintenance contract (oral or written) for every property upon which they perform pest control.

If a structural pest control business is unlicensed; report that information to your EBL and/or the Structural Pest Control Board.

Mark “Yes” when:

- The person or business performing pest control for compensation has a valid business license by DPR.

Mark “No” when:

- A person or business performing pest control has not acquired a business license issued by DPR.

Mark “N/A” when:

- The person or business is not required to have a business license.

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## Records Requirements, Continued

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**1. Business  
Licensed  
(continued)**

**FAC section  
11701**

Exemptions:

- Structural pest control activities conducted within the scope of, and pursuant to, a valid structural pest control business license. (FAC section 11531(a))
- Preservation treatment of fabrics or structural materials. (FAC 11531(b))
- Sanitation services for collection, disposal, and treatment of wastewater, refuse, or sewage. (FAC section 11531(c))
- Seed treatment incidental to regular business. (FAC section 11531(d))
- Live capture and removal, or exclusion, of vertebrate pests, bees, or wasps without the use of pesticides. (FAC section 11531(e))
- Pool cleaning services, unless the person is selling, applying, using, or distributing a restricted material. (FAC section 11531(f))
- Tree surgery involving the removal of diseased or infested tissues or applying disinfectants to wound cavities incidental to tree surgery. (FAC section 11710)
- Gardeners and landscape maintenance service companies, if no pest control work is included as part of their services.

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## Records Requirements, Continued

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### 2. Business Registered in County

Scope: Any business performing pest control for another person for any compensation. This includes soliciting and advertising for pest control work. Pest control is defined in FAC section 11403.

### FAC section 11732

Both principal (main) and branch pest control business locations must register in each county where work is performed. Check for proper registration. Does the registration show the business name and address? Is each piece of application equipment shown? Is the qualified person aware of county permit conditions?

Mark “Yes” when:

- The principle and or branch office have registered in the county before work has been performed.

Mark “No” when:

- The pest control business has performed work in the county before registering in the county.

Mark “N/A” when:

- Inspection is conducted on an individual or business who is not required to register in the county.

Exemptions:

- Structural pest control activities conducted within the scope of, and pursuant to, a valid structural pest control business license. (FAC section 11531(a))
- Preservation treatment of fabrics or structural materials. (FAC 11531(b))
- Sanitation services for collection, disposal, and treatment of wastewater, refuse, or sewage. (FAC section 11531(c))
- Seed treatment incidental to regular business. (FAC section 11531(d))
- Live capture and removal, or exclusion, of vertebrate pests, bees, or wasps without the use of pesticides. (FAC section 11531(e))
- Pool cleaning services, unless the person is selling, applying, using, or distributing a restricted material. (FAC section 11531(f))
- Tree surgery involving the removal of diseased or infested tissues or applying disinfectants to wound cavities incidental to tree surgery. (FAC section 11710)
- Gardeners and landscape maintenance service companies, if no pest control work is included as part of their services.

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## Records Requirements, Continued

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**3. Work Supervised by Qualified Person**

**FAC section 11701.5**

Scope: Any business licensed by DPR to perform pest control for another person for any compensation.

Every principal (main) and branch location must have at least one person in a supervisory position that holds a qualified applicator license in the proper categories. Maintenance gardeners must hold a valid qualified applicator license or a qualified applicator certificate in category “B” or “Q”. Check the individual’s card for the expiration date. Is the person licensed in the categories appropriate to the work being performed? Note any applications that are not covered by the qualified applicator’s license or certificate.

There must be a different qualified applicator for each principal and branch location. Verify that adequate supervision is being provided Guidance: [Compendium Volume 1 Chapter 3 Section 4.](#)

Exemptions: None

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**4. Pilot(s) Hold a Valid Certificate**

**FAC section 11901**

Scope: Any person operating an aircraft for the purpose of pest control.

Determine if pilot certificates are valid.

- Do all pilots hold either a journeyman or apprentice certificate?

Exemptions: None

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**5. Pilot(s) Registered in County**

**FAC section 11920**

Scope: Persons acting as a pest control aircraft pilot.

Pilots must be registered in each county in which they work. Check for proper registration.

- Are apprentice certificate holders supervised by a journeyman pilot?
- Is a journeyman pilots, named on the apprentice pilot’s county registration currently registered with the county?

Exemptions: None.

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## Records Requirements continued

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**6.  
Recommendations Retained /  
One Year**

Scope: Agricultural pest control businesses applying pesticides for which a recommendation has been written.

**FAC section  
12004**

When applied by an agricultural PCB, a written recommendation is required for each agricultural use of a pesticide that requires a permit. (3CCR sections 6426(b) and 6632)

- Has the pest control business retained a copy of each recommendation for one year from when the recommendation was written?
- Is there a written recommendation available for each agricultural use of a material requiring a permit?

Exemptions: None.

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## Records Requirements continued

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**7. Valid Permits  
for Restricted  
Materials**

3CCR section 6412

Scope: Any person possessing or using restricted materials.

**3CCR sections  
6412 and 6632**

3CCR section 6632

Scope: Any PCB use of a pesticide that requires a permit.

- Does the pest control business have copies of valid permits for work performed?
- Did the pest control business possess and operate in accordance with permit conditions? (3CCR section 6426(b))
- The permittee of a valid permit is authorized to retain possession of materials listed after the permit expires.

Exemptions:

- Pesticide registrants, dealers operating under their licenses, or commercial carriers transporting restricted materials. (3CCR section 6414)
- Structural pest control licensees. (FAC section 14006.6(d))
- Certified private or commercial applicators when possessing or using only federally restricted use materials. (3CCR section 6414)
- Pesticides listed only in 3CCR section 6400(d) (groundwater materials) when used outside groundwater protection areas.
- Pesticides listed only in 3CCR section 6400(d) (groundwater materials) when used in a pest eradication program approved by the CA Department of Food and Agriculture. (3CCR section 6416)
- Antifouling paints or paints containing tributyltin. (3CCR section 6414)
- Materials used only for experimental purposes by research personnel according to established policy of a college or university or according to a valid research authorization. (3CCR sections 6414 and 6416)
- Brokers. (3CCR section 6414(f))

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## Records Requirements continued

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**8. Application  
Completion  
Records / Two  
Years**

**3CCR section  
6619**

Scope: Any person applying pesticides for production of an agricultural commodity and property operators who receive notices.

PCBs applying pesticides for the production of an agricultural commodity, shall assure notice is provided to the operator of the property treated, within 24 hours of completion of the pesticide application.

Verify that the PCB provides notice to any of their handler employees who may enter or walk within ¼ mile of a treated field during the restricted entry interval.

Review the PCB's records of notices provided.

- How does the PCB provide notification to each grower?
- Do the records contain the required information?
- Do the methods meet the completion notice requirement?

The PCB must maintain a written record, including electronic records, of the completion notice information and the method employed for two years.

(3CCR section 6619(i)) The method may be, but not limited to any of the following:

- Post or leave notice in a designated location on operator's property.
- Record notification on phone recorder.
- Send notice via fax machine.

Exemptions:

- The notice to the PCB's employees is not required if the field is posted unless the labeling requires dual notification.
- The PCB is not required to provide notice to handler employees that applied or supervised the subject application.

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## Records Requirements continued

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**9. Records Kept  
/ 2 Years**

**3CCR sections  
6624 and 6624.5**

### **Pesticide Use Records 3CCR section 6624**

Scope: Pesticide use records must be maintained by any person who uses pesticides:

- For an agricultural use.
- Listed in 3 CCR section 6400 (Restricted Materials).
- When engaged in the business of pest control.
- For industrial post-harvest commodity treatment.
- Listed in 3CCR section 6800(b) (Groundwater Protection List) for any outdoor institutional or outdoor industrial use.

A complete record (including electronic), of each pesticide application must be kept for two years. Do the records contain all the information required by 3CCR section 6624(b), (c), (e), and (f)? Review the records for completeness.

In addition to the information required for 3CCR section 6624(b), pest control businesses that perform pesticide applications at school sites must include the following additional information on the use record:

- Time application was completed,
- Name and address of the school site, and
- Application location within the school site (i.e., classroom, playground).

Under the Healthy Schools Act, "Schoolsite" is defined in Education Code section 17609 as any facility used as a child day care facility, as defined in section 1596.750 of the Health and Safety Code, or for kindergarten, elementary, or secondary school purposes. The term includes the buildings or structures, playgrounds, athletic fields, vehicles, or any other area of property visited or used by pupils. "Schoolsite" does not include any postsecondary educational facility attended by secondary pupils or private kindergarten, elementary, or secondary school facilities. For child day care facilities, the State Department of Social Services shall serve as the liaison to these facilities, as needed.

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## Records Requirements, Continued

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**9. Records Kept / 2 Years (continued)**

**3CCR section 6624 and 6624.5**

Mark “Yes” when:

- Pesticide use records are complete, available for two years; and
- Field fumigations using methyl bromide, chloropicrin, metam sodium, metam potassium, dazomet, or sodium tetrathiocarbonate in ozone nonattainment areas include the field fumigation method code; and
- All applications of 1,3-Dichloropropene include the field fumigation method code.

Mark “No” when the PCB:

- Has not retained pesticide use records for two years, or
- Use records are not complete, or
- Use records for field soil fumigations do not include the method code when required.

Mark “N/A” when:

- Exemptions apply.

Exemptions:

- If the business conducts pest control exclusively without using pesticides (e.g., devices or biological control agents), or
- Other activities which are not considered “pest control”.

In the “Details” or “Remarks” section of the inspection report describe your observations, the specific of the noncompliance, and the specific section.

### **Commercial Applicator Restricted Material Use Records 3CCR section 6624.5**

Scope: Certified commercial applicators using a restricted material specified in 3CCR section 6400, which include California Restricted Materials and Restricted Use Pesticides.

A certified commercial applicator is an individual holding a valid Qualified Applicator License, Qualified Applicator Certificate (except those solely with Subcategory Q), a valid Vector Control Technician certificate, or a valid manned or unmanned Journeyman Pest Control Aircraft Pilot Certificate. While Operators and Field Representatives licensed by the Structural Pest Control Board are also certified commercial applicators, the recordkeeping requirement for structural pesticide use records is covered by 16 CCR section 1970.

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## Records Requirements, Continued

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**9. Pesticide Use  
Records Kept /  
2 Years  
(continued)**

**3CCR sections  
6624 and 6624.5**

In addition to the requirements of 3CCR section 6624, when a commercial applicator is supervising the use or is using a restricted material the following must be on or attached to the pesticide use record:

- Address of the person where the restricted material was used, unless the operator of the property's permit or operator identification number is already on the pesticide use record;
- Commercial applicator's name and license or certificate number;
- Name of any noncertified applicator(s) using the restricted material under the certified applicator's direct supervision;
- Physical address where handler training records are kept for each noncertified applicator.

Mark "Yes" when:

- A restricted material is used or supervised by a certified commercial applicator and the information required is in or attached to the pesticide use record.

Mark "No" when:

- A restricted material is used by or supervised by a certified commercial applicator and the required information is not on or attached to the pesticide use record.

Mark "N/A" when:

- No restricted material is used, or
- A private applicator certificate holder is using or supervising the use of a restricted material, or
- 16CCR section 1970 applies for all pesticides applied.

Exemptions:

- Use of a non-restricted material.
- Structural pesticide uses records containing information required in 16CCR section 1970.

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## Records Requirements, Continued

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### 10. Pesticide Use Reports Submitted

Scope for 3CCR section 6626:  
Property operators applying registered pesticides to produce an agricultural commodity.

### 3CCR sections 6626, 6627, and 6628

Scope for 3CCR section 6627:  
Any person applying registered pesticides:

- For an agricultural use, or
- Classified as a restricted material, or
- For an industrial post-harvest commodity treatment, or
- Listed in 3CCR 6800(b) for any outdoor institutional or outdoor industrial use. The reporting requirements for persons producing an agricultural commodity are different from non-production use requirements. Refer to 3CCR section 6626/6627.

Review the grower's or qualified applicator's permit file for reporting violations. Compare the records maintained by the property operator with the pesticide use reports you have received. Document any inconsistencies. The operator of the property is not required to report the use if the use is performed and reported by a pest control business. (3CCR section 6626). The operator of the property shall maintain the records for two years.

Use reports for field soil fumigations using 1,3-Dichloropropene must also include:

- The field fumigation method code.
- Use report(s) for 1,3-Dichloropropene must be submitted electronically in a manner specified by the commissioner.

Use reports for field soil fumigations **other than** 1,3-Dichloropropene (for example metam sodium) must include:

- The field fumigation method code for use report(s) submitted for an application(s) in an ozone nonattainment area. (3 CCR section 6426(d))

Exemptions:

- Pesticide uses on livestock. (3CCR section 6624).
- Pesticide use in the sales area of retail nurseries or applying pool chemicals by pool service companies (which are not defined as production agriculture in FAC section 11408.).
- Public agencies (e.g. Vector Control) that have entered into a cooperative agreement with the California Department of Health Services. (FAC section 11408)

## Records Requirements continued

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**11. Monthly  
PUR Submitted**

Scope: Registered structural pest control companies.

**BPC section  
8505.17**

Verify that the structural pest control company is submitting complete monthly pesticide use reports to the CAC by the 10th day of the month following the month of pesticide use. If no pesticides are used during a month, the company must submit a negative use monthly report 3CCR section 6628.

Exemptions: None

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**12. County  
Registration**

Scope: All structural pest control companies registered with the Structural Pest Control Board and performing structural pest control in the county. This regulation applies to the use of all pesticides as well as non-pesticide methods of pest control.

**FAC section  
15204**

Determine if the structural pest control company has registered with the agricultural commissioner prior to performing structural pest control for hire in your county. This can be accomplished by reviewing the company's records. The notification may cover a calendar year unless the structural pest control company's licensee specifies a shorter time. Branch offices working in your county must also be listed on the notification.

Exemptions: None.

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## Records Requirements continued

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**13. SPCB  
Registration**

Scope: Any company that engages in the practice of structural pest control shall register with the Structural Pest Control Board.

**16CCR section  
8610**

Verify that the company is registered with the Structural Pest Control Board. Report any violation to the Structural Board and/or your county's EBL.

Mark "Yes" when:

- The structural pest control business is registered with the Structural Pest Control Board.

Mark "No" when:

- The structural pest control business is not registered with the Structural Pest Control Board. When the business is not registered with the Structural Pest Control Board, contact you EBL and the Board.

Exemptions:

- Structural pest control registration is not required for mold remediation. SPCB guidance
  - Preservative treatment of fabrics or structural materials. (FAC section 11531(b))
  - Sanitation services for collection, disposal, and treatment of wastewater, refuse, or sewage. (FAC section 11531(c))
  - Live capture and removal or exclusion of vertebrates, bees or wasps without the use of pesticides. (FAC section 11531(e)) This does not exempt a person from the provisions of California Endangered Species Act.
- 

**14. Qualified  
Branch  
Supervisor**

Scope: Each branch office of any company that engages in the practice of structural pest control.

**16CCR section  
8611**

Verify that the branch being inspected has a licensee (either a licensed operator or a field representative) designated by the registered company as the branch supervisor. Check the licensing status of the branch supervisor. Report any violation to the Structural Pest Control Board and/or your county's EBL.

When a branch supervisor leaves the registered company, the company must notify the Structural Pest Control Board in writing within 10 days. If this notice is given, the branch office registration will remain in force for a time to be determined by the Board.

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## Records Requirements continued

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**15. Pesticide  
Use Records  
Available**

Scope: All registered structural pest control companies that use registered pesticides.

**FAC section  
15205**

Did the structural pest control company have available, and allow you to inspect, records pertaining to pesticide use (such as training records, employee safety records, application records) at the place of business during regular business hours?

Exemptions: None

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**16. Fumigation  
Log / 3 Years**

Scope: All registered Branch 1 structural pest control companies.

**16 CCR section  
1970(a)**

Registered Branch 1 structural pest control companies must maintain a log Standard Structural Fumigation Log (Form number 43M-47, Rev. 6/2023), and a report as required in 16 CCR section 1970(b) for each fumigation job for three years. The required information for the fumigation log can be found in 16CCR section 1970(a).

Exemptions: None

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**17. Pesticide  
Use Records /  
Kept 3 Years**

Scope: All registered Branch 2 or 3 structural pest control companies that have applied registered pesticides.

**16CCR section  
1970(b)**

Registered structural pest control companies must maintain a report for each pest control application, other than fumigation, in which a pesticide was used. These records must include all the information specified in this regulation. A company is in compliance with the requirements of 16CCR section 1970(b) if copies of service contracts, invoices, route slips, or service tickets include all of the required information and are maintained for three years.

Exemptions: None

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## Records Requirements continued

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**18. Notice to Occupant**

Scope: All registered structural pest control companies that apply any pesticide.

**BPC section 8538**

The written notice must be provided to the owner/agent and the occupant by mail, electronic mail posting or personal delivery prior to the application. Ask the licensee to see the “Written Notice to Occupants” and ask how they are delivered. Review the notice for the required information. Discuss with Branch 2 and 3 operators how they comply with the provisions of BPC section 1970.4(c)) Written notices must be left in a conspicuous location. Do the notices contain the required information?

In the case of external pest control at multiple family dwellings with more than four units, the notice shall be posted in heavily frequented, highly visible areas, such as at mailboxes, or all laundry or community rooms. In complexes with fewer than five units, each unit must be notified. Any pest control done within a tenant’s unit requires that the tenant be notified directly.

Verify that the SPCB provides a written notice to the owner of the property treated prior to the treatment (at least 48 hours prior to a fumigation).

Exemptions: None

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# Storage Requirements

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## 19. Containers Secured

Scope: Any person who controls the use of a property and stores any pesticide. Any person delivering empty or full containers of any pesticide to a property.

### 3CCR section 6672(b)

Ask the business operator where pesticides are stored. If the company has more than one storage area at different locations, each site should be inspected. Are pesticides and empty containers stored in a locked enclosure? Personal control of containers is allowed if someone maintains control over them at all times.

If pesticides, containers, or equipment are not in a locked enclosure you must determine if responsible persons on site are adequately attending them. Factors include the proximity of the containers to public access, the proximity of the attending person to the containers and the level of attention the attending person can provide. Are the containers near a road or trail? Are they in plain view of a responsible person? Could someone access the containers without the responsible person seeing them?

Pesticides and containers must not be stored in a manner that creates a hazard to persons, animals, food, feed or property. (3CCR section 6670) All containers larger than 55 gallons that contain liquid pesticide may be secured with a locked closure in lieu of storage in a locked enclosure.

“Attended” means a responsible person in the vicinity at all times to maintain control over the pesticide to prevent contact by unauthorized persons. Adjacent to roadways or populated areas, the person must have pesticides in sight.

“Enclosure” means a structure, a lockable storage compartment, a locked and fenced area or a truck or trailer with side racks. The enclosure must prevent entry from all sides. If the enclosure does not have a roof, the sides must be a minimum height of six feet above the ground.

#### Exemptions:

- Containers that hold or have held pesticides packaged, labeled, and used for home use when in the possession of a householder on their property. (3CCR section 6686)
- Sanitizers, disinfectants, and medical sterilants. (3CCR section 6686)
- Pesticides listed in 3CCR section 6402 "exempt materials," must be delivered to a responsible person, but need not be attended or kept in a locked enclosure on a property. (3CCR section 6686)

## Storage Requirements continued

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**20. Storage  
Posted  
“Warning /  
Danger”**

**3CCR section  
6674**

Scope: Storage areas where containers that hold, or have held, any pesticides with the signal words “DANGER” or “WARNING” are stored.

Pesticide storage signs must be visible from any direction of probable approach and shall be posted around all storage areas where containers that hold, or have held, pesticides. Each sign shall be of such size that it is readable at a distance of 25 feet. Determine if the notice should be repeated in a language other than English. Are signs posted in each direction of probable approach and readable at a distance of 25 feet?

Posting of vehicle utility boxes is not required unless the boxes are used as a fixed storage site.

Exemptions:

- Containers labeled and used for home use when in the possession of a householder on his property. (3CCR section 6686)
- Pesticides listed in 3CCR section 6147 "Exempted Pesticide Products". (Guidance)
- Sanitizers, disinfectants, or medical sterilants. (3CCR section 6686)

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**21. Containers  
Labeled /  
Closures**

**3CCR section  
6676**

Scope: Storage and transportation of any container that holds or has held a registered pesticide.

Verify that all pesticide containers, including refillable large containers or tanks, carry the registrant’s labeling and that all lids or closures are securely tightened.

Exemptions:

- Sanitizers, disinfectants, or medical sterilants. (3CCR section 6686)
- Measuring devices that are not used to store or transport a pesticide. (Guidance)
- Service containers that are properly labeled do not need the registrants labeling. (3CCR section 6678)
- Containers that have been triple rinsed do not need to have lids.

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## Storage Requirements continued

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### 22. Service Container Labeling

Scope: All containers, other than the original manufacturer’s labeled container, used to store or transport dilute or concentrated mixtures of any pesticide.

### 3CCR section 6678

Determine whether the service container labeling is complete. If pesticides are loaded into application equipment on site and all of the pesticide mix is used during the application before the applicator leaves or transports the equipment, no service container labeling is required as long as equipment has been rinsed. The definition for service container may be found in FAC section 12757.5.

Examples of violations include containers with no labeling, incomplete labeling or with multiple label tags that do not accurately reflect the contents of the container.

Exemptions:

- Sanitizers, disinfectants, or medical sterilants. (3CCR section 6686)
  - Containers used by a person engaged in the business of farming while on that person’s property.
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### 23. Prohibited Containers

Scope: All pesticides being used, transported or in storage.

### 3CCR section 6680

If service containers or measuring devices are observed, examine them to assure that pesticides are not being placed in prohibited containers commonly used for food, drink or household products. Examples of improper storage containers include empty coffee cans, soda bottles or cans or cooking vessels.

Application of this regulation must recognize that both food products and pesticides are distributed in a wide variety of containers and some overlap is inevitable. This regulation does not prohibit end users from using generic plastic or glass bottles, plastic bags or similar containers (that have no identifiable food or beverage use labeling) as service containers.

If all pesticides are in proper containers, check the “YES” box. If no containers are observed at the application and/or the mix/load site, check the “N/A” box.

Exemptions: None

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## Storage Requirements continued

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**24. Containers Properly Rinsed**

Scope: All pesticide containers that have held less than 28 gallons of liquid pesticide concentrate that is diluted for use.

**3CCR section 6684**

Handlers must rinse and drain the container at the time of use into the mix tank or application equipment to be used in the application. “Time of use” means prior to the end of the mix/load operation. The definition of “Use” can be found in 3CCR section 6000. To be effective, the rinsing must be completed before the liquid pesticide has time to dry. Verify there are no unrinsed empty containers being stored. Businesses should be reported to the local Environmental Health agency and/or the California Department of Toxic Substances Control. Failure to rinse is a violation under our jurisdiction. Collecting and/or holding unrinsed containers may be a violation under the jurisdiction of the local Environmental Health agency and/or the California Department of Toxic Substances Control.

Some retail pesticide product labeling includes statements advising users to wrap partially full containers in newspaper and dispose in regular waste containers. This is not allowed in California.

Check empty containers for proper rinsing. Puncturing the containers is recommended to allow for drainage and aeration. Unrinsed or improperly rinsed containers are considered hazardous waste and must be disposed in compliance with Titles 22 and 23, California Code of Regulations. Contact the local Health Department or Regional Water Quality Control Board for more information.

Exempt containers may require special rinse procedures, be refilled offsite, returned to the registrant, or be disposed as hazardous waste in compliance with local Environmental Health agency and/or the California Department of Toxic Substances Control regulations.

Burning plastic containers (jugs, buckets, etc.) may be in violation of local Air Pollution Control District regulations (APCD). Document any observations of burning plastic containers and refer to the APCD.

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## Storage Requirements continued

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**24. Containers Properly Rinsed (continued)**

**3CCR section 6684**

CalEPA has determined, when pesticide bags are emptied according to DPR's guidelines, they can be disposed as non-hazardous waste. There are two disposal options available: disposal at lined Class III landfills or disposal at the site of application by burning under an agricultural burn permit. Permits to burn empty bags are issued by the local Air Pollution Control District. Enforcement of bag disposal regulations is at the discretion of the CAC See [Compendium Volume 8 Chapter 1 Section 1.8 Pesticide Bag Disposal](#). (22CCR sections 66260.10 – 66262.70)

**Exemptions:**

- Sanitizers, disinfectants, and medical sterilants, (3CCR section 6686)
  - Outer containers that are not contaminated. (3CCR section 6686)
  - Containers being returned to the registrant.
  - Containers labeled and used for home use when in the possession of a householder on his property. (3CCR section 6686)
  - Aerosol containers are exempt from regulation as hazardous waste under the following conditions:
    1. The aerosol containers are emptied to the extent possible under normal use.
    2. The aerosol containers are disposed of after use in accordance with labeling instructions. (DHS guidance, Procedural Guidance For Enforcement Personnel pg. 54 Aerosol Container Disposal)
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