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## **California Code of Regulations (Title 3. Food and Agriculture) Division 6. Pesticides and Pest Control Operations**

### **Chapter 1. Pesticide Regulatory Program**

#### **Subchapter 1. Definition of Terms**

#### **Article 1. Definitions for Division 6**

#### **6000. Definitions.**

**"Agricultural commodity,"** for the purpose of this chapter, means an unprocessed product of farms, ranches, nurseries and forests (except livestock, poultry and fish). Agricultural commodities include fruits and vegetables; grains, such as wheat, barley, oats, rye, triticale, rice, corn and sorghum; legumes, such as field beans and peas; animal feed and forage crops; rangeland and pasture; seed crops; fiber crops such as cotton; oil crops, such as safflower, sunflower, corn and cottonseed; trees grown for lumber and wood products; nursery stock grown commercially; Christmas trees; ornamentals and cut flowers; and turf grown commercially for sod.

**"Application block"** means a field or portion of a field treated in a 24-hour period that typically is identified by visible indicators, maps, or other tangible means.

**"Applied to the soil"** or "applied to the ground" means the labeling of a pesticide product includes terminology such as:

- (a) Soil fumigant;
- (b) Soil applied;
- (c) Soil treatment product;
- (d) Can be used as a soil drench;
- (e) Application to soil;
- (f) Inject into the soil;
- (g) Incorporate in top (x) inches of soil; pre-plant incorporation;
- (h) Use on soil for control of soil-borne diseases;
- (i) Surface application; band treatment, surface blend;
- (j) Side dressing both/one side of row and cultivate into soil;
- (k) Should be mixed uniformly into top (x) inches of soil;
- (l) Pre-emergent to the weed;
- (m) Broadcast to the soil;
- (n) Apply in seed furrow.

**"Artificial recharge basin"** means a surface facility, such as an infiltration pond or basin, or spreading ground specifically designed and managed to increase the infiltration of introduced surface water supplies into a ground water basin. "Artificial recharge basin" does not include ditches, canals, or reservoirs designed primarily to transport and store water, or stream channels, lakes, and other naturally occurring water bodies that are not principally managed to recharge ground water.

**"Assure"** or **"Ensure"** means to take all reasonable measures so that the behavior, activity, or event in question occurs. When the behavior, activity, or event in question involves or concerns an employee, reasonable measures by an employer include determining that the employee has the knowledge to comply; providing the means to comply; supervising the work activity; and having and enforcing a written workplace

disciplinary action policy covering the employer's requirements, as well as other measures required by pesticide law or this division.

**"Branch location"** means any location, other than the principal place of business, operated by a pesticide dealer or agricultural pest control operator to carry out licensed activities in California.

**"Buffer zone"** means an area that surrounds a pesticide application block in which certain activities are restricted for a specified period of time to protect human health and safety from existing or potential adverse effects associated with a pesticide application.

**"Carbamates"** means esters on N-methyl carbamic acid which inhibit cholinesterase.

**"Certified commercial applicator"** means:

- (a) A person holding a valid qualified license issued by the director;
- (b) A pilot holding a valid journeyman pest control aircraft pilot's certificate issued by the director;
- (c) A person holding a certified technician certificate issued by the Vector Biology and Control Section of the Department of Health Services;
- (d) A person holding a valid structural pest control operator or field representative license issued by the Structural Pest Control Board of the Department of Consumer Affairs; and
- (e) A person holding a valid qualified applicator certificate by the director.

**"Certified private applicator"** means a private applicator holding a valid private applicator certificate issued by the commissioner (or the director in any county where there is no commissioner).

**"Chemical resistant"** or **"waterproof"** means a material that allows no measurable movement of the pesticide through it during use. When a specific material is specified on pesticide product labeling, personal protective equipment constructed of that material shall be used.

**"Chemigation"** means the application of pesticides through irrigation systems.

**"Closed system"** means a procedure for removing a pesticide from its original container, rinsing the emptied container and transferring the pesticide product, mixtures and dilutions and rinse solution through connecting hoses, pipes and couplings that are sufficiently tight to prevent exposure of any person to the pesticide or rinse solution. Rinsing is not required when the pesticide is used without dilution. The system's design and construction shall meet the director's closed system criteria.

**"Commercial applicator"** means a person who uses or supervises the use of a pesticide for any purpose or on any property other than as provided by the definition of private applicator.

**"Conflict with labeling"** means any deviation from instructions, requirements or prohibitions of pesticide product labeling concerning storage, handling or use except:

- (a) A decrease in dosage rate per unit treated;
- (b) A decrease in the concentration of the mixture applied;
- (c) Application at a frequency less than specified;
- (d) Use to control a target pest not listed, provided the application is to a commodity/site that is listed and the use of the product against an unnamed pest is not expressly prohibited;
- (e) Employing a method of application not expressly prohibited, provided other directions are followed;
- (f) Mixing with another pesticide or with a fertilizer, unless such mixing is expressly prohibited;
- (g) An increase in the concentration of the mixture applied, provided it corresponds with the current published UC Pest Management Guidelines of the University of California, which are available from their Statewide Integrated Pest Management Project, One

Shields Avenue, Davis, California 95616, or on-line at <http://www.ipm.ucdavis.edu>; or  
(h) The use of personal protective equipment consistent with the exceptions and substitutions in section 6738.

**"Continuous monitoring"** means the measurement of the air concentration of a specific pesticide on an uninterrupted, real-time basis by instrumental methods.

**"Course"** means any course, class, or program offered by a provider of continuing education approved pursuant to section 6512.

**"Coverall"** means a one- or two-piece garment of closely woven fabric or equivalent that covers the entire body, except the head, hands, and feet, and must be provided by the employer as personal protective equipment. Coverall differs from, and should not be confused with, work clothing that can be required to be provided by the employee.

**"Display"** means to make information available to the employee so that he or she may readily see and read the document, during normal business hours, without having to make a specific request of any person. An employee shall not be hindered or impeded from examining documents required to be displayed. This definition does not preclude using a binder or filing cabinet, that otherwise meets these criteria, to contain documents for display.

**"Early entry"** means entry into a treated field or other area after the pesticide application is complete, but before the restricted entry interval or other restrictions on entry for that pesticide have expired.

**"Employee"** means any person who, for any kind of compensation, performs work, services, or activities covered by this division.

**"Employer"** means any person who exercises primary direction and control over the work, services, or activities of an employee. A foreman, crew leader, supervisor, or similarly situated person represents the employer when hiring an employee or when exercising, or having responsibility for exercising, the primary direction and control, but is not considered the employer himself or herself.

**"Enclosed cab"** means a chemical resistant barrier that completely surrounds the occupant(s) of the cab and meets those portions of the requirements in American Society of Agricultural Engineers Standard S-525 (Rev. 5/98) that pertain to dermal protection.

**"Enclosed cab acceptable for respiratory protection"** means an enclosed cab that incorporates a dust/mist filtering and /or a vapor or gas removing air purification system, as appropriate for the exposure situation. Enclosed cabs certified by the manufacturer as meeting American Society of Agricultural Engineers Standard S-525 (Rev. 5/98) are acceptable under this definition. The Director may, upon request, approve other enclosed cabs as acceptable under this definition.

**"Engineered rights-of-way"** means areas within a ground water protection area that are constructed in a way that results in increased runoff and collection of storm water, such as railroad ballasts and berms, public roadsides, and highway median strips or similar areas, but not canal or ditch banks or utility lines.

**"Evapotranspiration"** is the combination of water transpired from vegetation and evaporated from the soil and plant surfaces. Evapotranspiration data can be obtained from the California Irrigation Management Information System (CIMIS) or other local sources.

**"Examination"** means written examination.

**"Feasible"** means capable of being accomplished in a successful manner, within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

**"Feasible alternatives"** means other chemical or non-chemical procedures which can reasonably accomplish the same pest control function with comparable effectiveness

and reliability, taking into account economic, environmental, social, and technological factors and timeliness of control.

**"Feasible mitigation measure"** means a condition attached to the approval of an activity which, if implemented, would substantially reduce any adverse impact, taking into account economic, environmental, social, and technological factors and timeliness of control.

**"Field"** means any area (including a greenhouse) upon which one or more agricultural plant commodities (including forest and nursery products) are grown for commercial or research production. Field does not include range or pasture harvested by grazing animals.

**"Field capacity"** is the amount of water remaining in soil when the downward water flow due to gravity becomes negligible.

**"Fieldworker"** means any person who, for any kind of compensation, performs cultural activities in a field. Fieldworker does not include persons performing tasks as a crop advisor, including field checking or scouting, making observations of the well being of the plants, or taking samples, nor does it include local, state, or federal officials performing inspection, sampling, or other similar official duties.

**"Fumiscope®"** is a monitoring instrument that measures the concentration of methyl bromide inside a structure in ounces per 1,000 cubic feet. (The analytical detection limit of a Fumiscope® is 250 parts per million [ppm]).

**"Greenhouse"** means a structure or space, of sufficient size to permit entry, that is enclosed with a nonporous covering and used in the commercial or research production of an agricultural plant commodity. The term includes polyhouses, mushroom houses, rhubarb houses and similar structures.

**"Ground-based application equipment"** means equipment such as:

- (a) Hand sprayers;
- (b) Backpack sprayers;
- (c) Air-blast sprayers;
- (d) Field soil injection equipment;
- (e) Dusters;
- (f) Drills;
- (g) Granular applicators; or
- (h) Ground-rig sprayers.

**"Ground water protection area"** means an area of land that has been determined by the Director to be vulnerable to the movement of pesticides to ground water, as identified in the Department of Pesticide Regulation document EH03-05 (Est. 08/03), hereby incorporated by reference, entitled "Ground Water Protection Areas," in Appendix I. The determination of a ground water protection area is based on factors, such as soil type, climate, and depth to the ground water, that are characteristic of areas where legally applied pesticides or their breakdown products have been detected and verified in ground water.

**"Hand labor"** means any cultural activity, performed by hand or with hand tools, that causes substantial contact with surfaces (such as plants or soil) that may have pesticide residues. These activities include hand harvesting, detasseling, thinning, hand weeding, topping, planting, sucker removal, pruning, disbudding, roguing, and packing produce into containers in the field. Hand labor does not include operating, moving, or repairing irrigation equipment or performing the duties of a crop advisor, field checker, or scout, making observations of the well being of the plants, or taking samples.

**"Handle"** means mixing, loading, transferring, applying (including chemigation), or assisting with the application (including flagging) of pesticides, maintaining, servicing, repairing, cleaning, or handling equipment used in these activities that may contain

residues, working with opened (including emptied but not rinsed) containers of pesticides, adjusting, repairing, or removing treatment site coverings, incorporating (mechanical or watered-in) pesticides into the soil, entering a treated area during any application or before the inhalation exposure level listed on pesticide product labeling has been reached or greenhouse ventilation criteria have been met, or performing the duties of a crop advisor, including field checking or scouting, making observations of the well being of the plants, or taking samples during an application or any restricted entry interval listed on pesticide product labeling. Handle does not include local, state, or federal officials performing inspection, sampling, or other similar official duties.

**"Home use"** means use in a household or its immediate environment.

**"Human Participant"** means a living person who participates in a human pesticide exposure study conducted in order to obtain (1) data through intervention or interaction with the participant, or (2) identifiable private information. Intervention, as used in this definition, includes both physical procedures by which data are gathered and manipulations of the participant or the participant's environment that are performed for research purposes. Interaction, as used in this definition, includes communication or interpersonal contact between the investigator and human participant. Private information, as used in this definition, includes information about behavior that occurs in a context in which a participant can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by a participant and which the participant can reasonably expect will not be made public. Private information must be individually identifiable in order for the acquisition of that information to constitute research involving human participants. Individually identifiable means that the identity of the participant is or may readily be ascertained by the investigator or associated with the information.

**"Industrial use"** means use for or in a manufacturing, mining or chemical process; or use in the operation of factories, processing plants, and similar sites.

**"Institutional Review Board (IRB)"** means an objective committee whose purpose is to review protocols of human pesticide exposure studies to ensure the safety and general welfare of the human participants, and to guarantee that their human rights are not violated. The Institutional Review Board shall meet the requirements as specified in Title 40 Code of Federal Regulations, (Protection of Environment), Part 26, (Protection of Human Subjects), when conducting a review of a protocol.

**"Institutional use"** means use within the confines of, or on property necessary for the operation of, buildings such as hospitals, schools, libraries, auditoriums and office complexes.

**"Leaching ground water protection areas"** are sections of land designated as "leaching" in the Department of Pesticide Regulation document EH03-05 (Est.08/03), hereby incorporated by reference, entitled "Ground Water Protection Areas," where pesticide residues move from the soil surface downward through the soil matrix with percolating water to ground water.

**"Medical supervision"** means occupational health guidance and necessary associated health evaluation by a physician licensed to practice medicine.

**"Net irrigation requirement"** is the amount of water needed to bring the soil in the crop root zone to field capacity at the time of irrigation. It can be determined by direct measurements of soil moisture, such as by using tensiometers, or indirect measurements of soil moisture, such as by estimating evapotranspiration that has accumulated since the last irrigation.

**"Notice of Intent"** means oral or written notification to the commissioner, as specified by the commissioner, prior to the use of a pesticide pursuant to a permit.

**"Nursery"** means any operation engaged in the outdoor commercial or research production of cut flowers or ornamental cut greens or any plants that will be used in their entirety in another location.

**"Operator of the property"** means a person who owns the property and/or is legally entitled to possess or use the property through terms of a lease, rental contract, trust, or other management arrangement.

**"Organophosphates"** means organophosphorus esters which inhibit cholinesterase.

**"Person"** means any individual, partnership, association, corporation, business entity or organized group of persons whether incorporated or not.

**"Personal protective equipment"** (PPE) means apparel and devices worn to minimize human body contact with pesticides or pesticide residues that must be provided by an employer and are separate from, or in addition to, work clothing. PPE may include, chemical resistant suits, chemical resistant gloves, chemical resistant footwear, respiratory protection devices, chemical resistant aprons, chemical resistant headgear, protective eyewear, or a coverall (one- or two-piece garment).

**"Pest management guides"** are manuals prepared by the department or University of California that include pest management information on specific crops and which have been adopted as a standard by the director.

**"Pesticide"** means:

- (a) Any substance or mixture of substances that is a pesticide as defined in the Food and Agricultural Code and includes mixtures and dilutions of pesticides;
- (b) As the term is used in Section 12995 of the Food and Agricultural Code, includes any substance or product that the user intends to be used for the pesticidal purposes specified in Sections 12753 and 12758 of the Food and Agricultural Code.

**"Pesticide exposure study"** means:

- (a) A data gathering project that meets one or more of the following criteria:
  - (1) Human participants are to be directly exposed to the pesticide for the purpose of determining its pharmacokinetics or pharmacodynamics;
  - (2) Human participants are monitored and the use of the pesticide is not consistent with current accepted labeling or current regulations;
  - (3) Humans are exposed as the result of a contrived application in order to monitor exposure without routine pest control being a significant objective;
  - (4) Human participants are monitored for the purpose of satisfying initial or continuing registration requirements of the U.S. Environmental Protection Agency or the department; or
  - (5) Human participants are monitored to develop or contribute knowledge of pesticide exposure to be generalized to other populations.
- (b) "Pesticide exposure study" does not include the following:
  - (1) Data collected for the purpose of satisfying an existing health standard for exposure monitoring or if it is understood that routine monitoring is a condition of employment;
  - (2) Unscheduled monitoring of persons in response to a medical emergency to identify possible sources of exposure;
  - (3) Monitoring conducted by a government agency or by an employer, to determine the workplace exposure of his or her employees.
  - (4) Monitoring requested by an individual or group of individuals to determine personal exposure levels.
  - (5) The analysis or evaluation, after the human participant involvement has ceased, of existing or previously collected data, documents, records, specimens, or samples, if these sources are publicly available or if the information is

recorded by the study director in such a manner that the human participants cannot be identified, directly or through identifiers linked to the participants.

**"Pesticide Safety Information Series"** means a series of leaflets that summarize health and safety aspects of various pesticides and groups of pesticides.

**"Pesticides in toxicity category one"** means pesticide products which are required to prominently display the signal word "DANGER" on the label.

**"Pesticides in toxicity category two"** means pesticide products which are required to prominently display the signal word "WARNING" on the label.

**"Private applicator"** means:

(a) an individual who uses or supervises the use of a pesticide for the purpose of producing an agricultural commodity on property owned, leased, or rented by him/her or his/her employer; or

(b) a householder who uses or supervises the use of a pesticide, outside the confines of a residential dwelling for the purpose of controlling ornamental, plant or turf pests on residential property owned, leased, or rented by that householder.

**"Qualified applicator certificate holder"** means a person who has qualified by examination in one or more pest control categories to supervise pesticide applications. However, such qualification shall not entitle the holder to supervise the operations of a pest control business licensed pursuant to section 11701 of the Food and Agricultural Code, except as provided in section 11704.

**"Qualified applicator licensee"** means a person who has qualified by examination in one or more pest control categories to supervise the pesticide applications made by a pest control business licensed pursuant to sections 11701 to 11709, inclusive, of the Food and Agricultural Code, and who is responsible for safe and legal operations under such license.

**"Restricted entry interval"** (REI) means the period of time after a field is treated with a pesticide during which restrictions on entry are in effect to protect persons from potential exposure to hazardous levels of residues. An REI may be found on pesticide product labeling or in regulation.

**"Regularly handle"** means that the employee is handling pesticides during any part of the day for more than six calendar days in any 30 consecutive day qualifying period beginning on the first day of handling. Any day spent or loading pesticides while exclusively using a closed system or mixing only pesticides sealed in water-soluble packets is not included for any employee who has a baseline blood cholinesterase level established pursuant to section 6728(c)(1).

**"Runoff ground water protection areas"** are sections of land designated as "runoff" in the Department of Pesticide Regulation document EH03-05 (Est. 08/03) hereby incorporated by reference, entitled "Ground Water Protection Areas," where pesticide residues are carried in runoff water to more direct routes to ground water such as dry or drainage wells, poorly sealed production wells, or soil cracks, or to areas where leaching can occur.

**"Site specific"** means a pesticide permit that identifies the specific area to be treated, the size of that area, and the commodity(ies) or site(s) on that area to be treated.

**"Solicits services or sales"**, as used in section 11410 of the Food and Agricultural Code, means sells, or offers for sale, any pesticide, method, or device outside of a fixed place of business.

**"Structural use"** means a use requiring a license under Chapter 14 (commencing with section 8500), Division 3 of the Business and Professions Code.

**"Study director"** means the individual responsible for the overall conduct of a research project.

**"Substantial drift"** means the quantity of pesticide outside of the area treated is greater than that which would have resulted had the applicator used due care. This definition is applicable to section 12972 of the Food and Agricultural Code and section 6614 of Title 3, California Code of Regulations.

**"Time specific"** means a pesticide permit that specifies the date the intended application is to commence or permit with a notice of intent requirement. The pesticide use may commence within four days following such date if delays are caused by uncontrollable conditions such as adverse weather or unavailability of equipment. The commissioner shall require a notice of intent from either the grower, the grower's authorized representative, or the pest control business when necessary to make the permit time and site specific.

**"Treated field"** means a field that has been treated with a pesticide or had a restricted entry interval in effect within the last 30 days. A treated field includes associated roads, paths, ditches, borders, and headlands, if the pesticide was also directed to those areas. A treated field does not include areas inadvertently contaminated by drift or over spray.

**"Use"** means any pesticide related activity including:

Pre-application activities, including;

- (1) Arranging for the application;
- (2) Mixing or loading; and
- (3) Making necessary preparations for the application, including responsibilities related to notification, handler training, decontamination facilities, use and care of personal protective equipment, medical monitoring and assistance, and heat stress management;

(b) Application of the pesticide;

(c) Post-application activities, including;

- (1) Control of the treated area to reduce exposure, including responsibilities for restricted entry intervals, warnings, decontamination facilities, medical assistance, and fieldworker training;

(2) Management of the treated area, crop, or crop by-products, including responsibilities for preharvest intervals and plant back restrictions;

(3) Transportation, storage, and disposal of excess pesticides, spray mix, equipment wash water, and pesticide containers; and

(4) Cleaning of application equipment and other pesticide containing materials.

(d) Use does not include:

(1) Activities where involvement is only incidental to other tasks such as emergency responders providing incident management, commercial transportation of pesticide related waste for disposal or recycling, or a waste disposal or recycling facility accepting or handling these wastes; or

(2) Manufacturing, formulating, or packaging (including bulk repackaging) by a registered pesticide producing establishment.

**"Veterinarian"** means a person licensed to practice veterinary medicine in California.

**"Weed oil"** means a pesticide, the label of which states that the product may be used, by itself, to control weeds, and which contains 70 percent or more of the following active ingredients: petroleum hydrocarbons, mineral oil, petroleum oil, petroleum distillates, and/or aromatic petroleum distillates.

**"Work clothing"** means garments such as long-sleeved shirts, short-sleeved shirts, long pants, short pants, shoes, and socks. Work clothing is not considered personal protective equipment although pesticide product labeling or regulations may require specific work clothing during some activities. Work clothing differs from and should not be confused with a coverall. While coveralls shall be provided by the employer, work clothing can be required to be provided by the employee. Short sleeved shirts and short

pants are considered acceptable work clothing only under conditions expressly permitted by pesticide product labeling.

NOTE: Authority cited: Sections 11456, 11502, 12111, 12781, 12976, 12981, 13145, 14001, and 14005, Food and Agricultural Code.

Reference: Sections 11408, 11410, 11501, 11701, 11702(b), 11704, 11708(a), 12042(f), 12103, 12971, 12972, 12973, 12980, 12981, 13145, 13146, and 14006, Food and Agricultural Code.



## **Subchapter 2. Program Certification**

### **Article 1. Purpose**

#### **6100. Purpose**

(a) This article provides for the submittal of the pesticide regulatory program to the Secretary of Resources for certification. This article is contingent on certification of the pesticide regulatory program by the Secretary of the Resources Agency, and shall expire if and when the pesticide regulatory program is not certified. The submittal for certification under Section 21080.5 of the Public Resources Code, provides for environmental review of the pesticide regulatory program which is to be achieved in view of the findings of the Legislature in Section 1, Chapter 308, Statutes 1978, which are as follows:

- (1) Agriculture is a major and essential component of California's economy.
- (2) The proper, safe, and efficient use of pesticides is essential for the protection and production of agricultural commodities and for health protection.
- (3) Timeliness in the application of pesticides is paramount in good pest management and is essential in the prevention of economic waste.
- (4) Reasonable environmental review of such pesticide use is prudent and appropriate.
- (5) Individual permits to apply pesticides must often be issued on short notice, thereby making impracticable the type of environmental review which would occur if the issuance of such permits was subject to the preparation of an environmental impact report or a negative declaration pursuant to the requirements of Division 13 of the Public Resources Code.
- (6) Preparation of environmental impact reports and negative declarations for pesticide permits would be an unreasonable and expensive burden on California agriculture and health protection agencies.
- (7) For the purposes of this article, any county agricultural commissioner shall be considered a state agency. Under authority of the Food and Agricultural Code, each commissioner shall administer the local enforcement of the pesticide regulatory program under the supervision of the director.
- (8) The procedures for governmental review of pesticide recommendations and use shall not unnecessarily burden permit applicants or require such applicants to furnish unnecessary information.

(b) This section and Sections 6122, 6408, 6410, 6422, 6424, 6426, 6428, 6430, 6432, 6434 and 6436 shall expire if and when the department's Pesticide Regulatory Program is not certified pursuant to Section 21080.5 of the Public Resources Code.

NOTE: Authority cited: Sections 11456, 12781 and 14005, Food and Agricultural Code. Reference: Section 11501, Food and Agricultural Code; and Chapter 308, Statutes of 1978.

#### **6102. Severance.**

If any provision of division 4, chapter 1, subchapter 2, articles 4, 5, 7, 11 and 20 or division 6, chapter 2, subchapter 4 or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions of the cited articles or application of the articles which can be given effect without the invalid provision or application, and to this end the provisions of the cited articles are severable. NOTE: Authority cited: Sections 11456, 12781, 12981 and 14005, Food and Agricultural Code. Reference: Section 11501, Food and Agricultural Code; and Chapter 308, Statutes of 1978.



## DPR Supplement Exam

The following is from California DPR rules and regulations to ensure that you have downloaded and read your rules. These can be downloaded from TLC's website. California Code of Regulations (Title 3. Food and Agriculture) Division 6. Pesticides and Pest Control Operations

**Please submit the following with your assignment. Use the Answer key found in the rear. This is test number 8.**

1. \_\_\_\_\_ means an objective committee whose purpose is to review protocols of human pesticide exposure studies to ensure the safety and general welfare of the human participants, and to guarantee that their human rights are not violated.
  - A. Fieldworker
  - B. Qualified applicator certificate holder
  - C. Industrial use
  - D. Institutional Review Board
  - E. None of the Above
  
2. \_\_\_\_\_ means use within the confines of, or on property necessary for the operation of, buildings such as hospitals, schools, libraries, auditoriums and office complexes.
  - A. Net irrigation requirement
  - B. Leaching ground water protection areas
  - C. Institutional use
  - D. Nursery
  - E. None of the Above
  
3. \_\_\_\_\_ are sections of land designated as "leaching" in the Department of Pesticide Regulation document EH03-05 (Est.08/03), hereby incorporated by reference, entitled "Ground Water Protection Areas," where pesticide residues move from the soil surface downward through the soil matrix with percolating water to ground water.
  - A. Net irrigation requirement
  - B. Leaching ground water protection areas
  - C. Institutional use
  - D. Nursery
  - E. None of the Above
  
4. \_\_\_\_\_ means a person who owns the property and/or is legally entitled to possess or use the property through terms of a lease, rental contract, trust, or other management arrangement.
  - A. Pest management guides
  - B. Personal protective equipment
  - C. Person
  - D. Operator of the property
  - E. None of the Above

5. \_\_\_\_\_ means organophosphorus esters which inhibit cholinesterase.
- A. Pest management guides
  - B. Personal protective equipment
  - C. Person
  - D. Operator of the property
  - E. None of the Above
6. \_\_\_\_\_ means any operation engaged in the outdoor commercial or research production of cut flowers or ornamental cut greens or any plants that will be used in their entirety in another location.
- A. Net irrigation requirement
  - B. Leaching ground water protection areas
  - C. Institutional use
  - D. Nursery
  - E. None of the Above
7. \_\_\_\_\_ is the amount of water needed to bring the soil in the crop root zone to field capacity at the time of irrigation. It can be determined by direct measurements of soil moisture, such as by using tensiometers, or indirect measurements of soil moisture, such as by estimating evapotranspiration that has accumulated since the last irrigation.
- A. Net irrigation requirement
  - B. Leaching ground water protection areas
  - C. Institutional use
  - D. Nursery
  - E. None of the Above
8. \_\_\_\_\_ means oral or written notification to the commissioner, as specified by the commissioner, prior to the use of a pesticide pursuant to a permit.
- A. Net irrigation requirement
  - B. Leaching ground water protection areas
  - C. Institutional use
  - D. Nursery
  - E. None of the Above
9. \_\_\_\_\_ means a structure or space, of sufficient size to permit entry, that is enclosed with a nonporous covering and used in the commercial or research production of an agricultural plant commodity. The term includes polyhouses, mushroom houses, rhubarb houses and similar structures.
- A. Greenhouse
  - B. Ground water protection area
  - C. Enclosed cab
  - D. Enclosed cab acceptable for respiratory protection
  - E. None of the Above

**10.** \_\_\_\_\_ means an area of land that has been determined by the Director to be vulnerable to the movement of pesticides to ground water, as identified in the Department of Pesticide Regulation document EH03-05 (Est. 08/03).

- A. Greenhouse
- B. Ground water protection area
- C. Enclosed cab
- D. Enclosed cab acceptable for respiratory protection
- E. None of the Above

**11.** \_\_\_\_\_ means to take all reasonable measures so that the behavior, activity, or event in question occurs.

- A. Artificial recharge basin
- B. Assure" or "Ensure
- C. Branch location
- D. Buffer zone
- E. None of the Above

**12.** \_\_\_\_\_ means a chemical resistant barrier that completely surrounds the occupant(s) of the cab and meets those portions of the requirements in American Society of Agricultural Engineers Standard S-525 (Rev. 5/98) that pertain to dermal protection.

- A. Greenhouse
- B. Ground water protection area
- C. Enclosed cab
- D. Enclosed cab acceptable for respiratory protection
- E. None of the Above

**13.** \_\_\_\_\_ means an enclosed cab that incorporates a dust/mist filtering and /or a vapor or gas removing air purification system, as appropriate for the exposure situation.

- A. Greenhouse
- B. Ground water protection area
- C. Enclosed cab
- D. Enclosed cab acceptable for respiratory protection
- E. None of the Above

**14.** \_\_\_\_\_ is the combination of water transpired from vegetation and evaporated from the soil and plant surfaces.

- A. Greenhouse
- B. Ground water protection area
- C. Enclosed cab
- D. Enclosed cab acceptable for respiratory protection
- E. None of the Above

**15.** \_\_\_\_\_ data can be obtained from the California Irrigation Management Information System (CIMIS) or other local sources.

- A. Greenhouse
- B. Ground water protection area
- C. Enclosed cab
- D. Enclosed cab acceptable for respiratory protection
- E. None of the Above

**16.** This term means the behavior, activity, or event in question involves or concerns an employee, reasonable measures by an employer include determining that the employee has the knowledge to comply; providing the means to comply; supervising the work activity; and having and enforcing a written workplace disciplinary action policy covering the employer's requirements, as well as other measures required by pesticide law or this division.

- A. Artificial recharge basin
- B. Assure" or "Ensure
- C. Branch location
- D. Buffer zone
- E. None of the Above

**17.** \_\_\_\_\_ means a procedure for removing a pesticide from its original container, rinsing the emptied container and transferring the pesticide product, mixtures and dilutions and rinse solution through connecting hoses, pipes and couplings that are sufficiently tight to prevent exposure of any person to the pesticide or rinse solution. Rinsing is not required when the pesticide is used without dilution.

- A. Chemigation
- B. Carbamates
- C. Closed system
- D. Continuous monitoring
- E. None of the Above

**18.** \_\_\_\_\_ means the measurement of the air concentration of a specific pesticide on an uninterrupted, real-time basis by instrumental methods.

- A. Chemigation
- B. Carbamates
- C. Closed system
- D. Continuous monitoring
- E. None of the Above

**19.** \_\_\_\_\_ means entry into a treated field or other area after the pesticide application is complete, but before the restricted entry interval or other restrictions on entry for that pesticide have expired.

- A. Chemigation
- B. Early entry
- C. Closed system
- D. Continuous monitoring
- E. None of the Above

**20.** \_\_\_\_\_ means any location, other than the principal place of business, operated by a pesticide dealer or agricultural pest control operator to carry out licensed activities in California.

- A. Artificial recharge basin
- B. Assure" or "Ensure
- C. Branch location
- D. Buffer zone
- E. None of the Above

- 21.** \_\_\_\_\_ means a surface facility, such as an infiltration pond or basin, or spreading ground specifically designed and managed to increase the infiltration of introduced surface water supplies into a ground water basin.
- A. Artificial recharge basin
  - B. Assure" or "Ensure
  - C. Branch location
  - D. Buffer zone
  - E. None of the Above
- 22.** \_\_\_\_\_ does not include ditches, canals, or reservoirs designed primarily to transport and store water, or stream channels, lakes, and other naturally occurring water bodies that are not principally managed to recharge ground water.
- A. Artificial recharge basin
  - B. Assure" or "Ensure
  - C. Branch location
  - D. Buffer zone
  - E. None of the Above
- 23.** \_\_\_\_\_ means an area that surrounds a pesticide application block in which certain activities are restricted for a specified period of time to protect human health and safety from existing or potential adverse effects associated with a pesticide application.
- A. Artificial recharge basin
  - B. Assure" or "Ensure
  - C. Branch location
  - D. Buffer zone
  - E. None of the Above
- 24.** \_\_\_\_\_ means esters on N-methyl carbamic acid which inhibit cholinesterase.
- A. Chemigation
  - B. Carbamates
  - C. Closed system
  - D. Continuous monitoring
  - E. None of the Above
- 25.** \_\_\_\_\_ means the application of pesticides through irrigation systems.
- A. Chemigation
  - B. Carbamates
  - C. Closed system
  - D. Continuous monitoring
  - E. None of the Above

**26.** \_\_\_\_\_ means a person who has qualified by examination in one or more pest control categories to supervise the pesticide applications made by a pest control business licensed pursuant to sections 11701 to 11709, inclusive, of the Food and Agricultural Code, and who is responsible for safe and legal operations under such license.

- A. Qualified applicator licensee
- B. Employee
- C. Employer
- D. Commercial applicator
- E. None of the Above

**27.** \_\_\_\_\_ means any person who, for any kind of compensation, performs work, services, or activities covered by this division.

- A. Qualified applicator licensee
- B. Employee
- C. Employer
- D. Commercial applicator
- E. None of the Above

**28.** \_\_\_\_\_ means any person who exercises primary direction and control over the work, services, or activities of an employee. A foreman, crew leader, supervisor, or similarly situated person represents the employer when hiring an employee or when exercising, or having responsibility for exercising, the primary direction and control, but is not considered the employer himself or herself.

- A. Qualified applicator licensee
- B. Employee
- C. Employer
- D. Commercial applicator
- E. None of the Above

**29.** \_\_\_\_\_ means a person who uses or supervises the use of a pesticide for any purpose or on any property other than as provided by the definition of private applicator.

- A. Qualified applicator licensee
- B. Employee
- C. Employer
- D. Commercial applicator
- E. None of the Above

**30.** \_\_\_\_\_ means other chemical or non-chemical procedures which can reasonably accomplish the same pest control function with comparable effectiveness and reliability, taking into account economic, environmental, social, and technological factors and timeliness of control.

- A. Feasible mitigation measure
- B. Field capacity
- C. Feasible alternatives
- D. Fumiscope
- E. None of the Above

- 31.** \_\_\_\_\_ means a condition attached to the approval of an activity which, if implemented, would substantially reduce any adverse impact, taking into account economic, environmental, social, and technological factors and timeliness of control.
- A. Feasible mitigation measure
  - B. Field capacity
  - C. Feasible alternatives
  - D. Fumiscope
  - E. None of the Above
- 32.** \_\_\_\_\_ is the amount of water remaining in soil when the downward water flow due to gravity becomes negligible.
- A. Feasible mitigation measure
  - B. Field capacity
  - C. Feasible alternatives
  - D. Fumiscope
  - E. None of the Above
- 33.** \_\_\_\_\_ is a monitoring instrument that measures the concentration of methyl bromide inside a structure in ounces per 1,000 cubic feet. (The analytical detection limit of a Fumiscope® is 250 parts per million [ppm]).
- A. Feasible mitigation measure
  - B. Field capacity
  - C. Feasible alternatives
  - D. Fumiscope
  - E. None of the Above
- 34.** \_\_\_\_\_ means any cultural activity, performed by hand or with hand tools, that causes substantial contact with surfaces (such as plants or soil) that may have pesticide residues. These activities include hand harvesting, detasseling, thinning, hand weeding, topping, planting, sucker removal, pruning, disbudding, roguing, and packing produce into containers in the field. Hand labor does not include operating, moving, or repairing irrigation equipment or performing the duties of a crop advisor, field checker, or scout, making observations of the well being of the plants, or taking samples.
- A. Handle
  - B. Hand labor
  - C. Private applicator
  - D. Human Participant
  - E. None of the Above
- 35.** \_\_\_\_\_ means mixing, loading, transferring, applying (including chemigation), or assisting with the application (including flagging) of pesticides, maintaining, servicing, repairing, cleaning, or handling equipment used in these activities that may contain residues, working with opened (including emptied but not rinsed) containers of pesticides, adjusting, repairing, or removing treatment site coverings, incorporating (mechanical or watered-in) pesticides into the soil.
- A. Handle
  - B. Hand labor
  - C. Private applicator
  - D. Human Participant
  - E. None of the Above

- 36.** \_\_\_\_\_ means: an individual who uses or supervises the use of a pesticide for the purpose of producing an agricultural commodity on property owned, leased, or rented by him/her or his/her employer; or
- A. Handle
  - B. Hand labor
  - C. Private applicator
  - D. Human Participant
  - E. None of the Above
- 37.** \_\_\_\_\_ means a living person who participates in a human pesticide exposure study conducted in order to obtain (1) data through intervention or interaction with the participant.
- A. Handle
  - B. Hand labor
  - C. Private applicator
  - D. Human Participant
  - E. None of the Above
- 38.** This term means intervention, as used in this definition, includes both physical procedures by which data are gathered and manipulations of the participant or the participant's environment that are performed for research purposes.
- A. Handle
  - B. Hand labor
  - C. Private applicator
  - D. Human Participant
  - E. None of the Above
- 39.** This term means interaction, as used in this definition, includes communication or interpersonal contact between the investigator and human participant.
- A. Handle
  - B. Hand labor
  - C. Private applicator
  - D. Human Participant
  - E. None of the Above
- 40.** This term means private information, as used in this definition, includes information about behavior that occurs in a context in which a participant can reasonably expect that no observation or recording is taking place, and information which has been provided for specific purposes by a participant and which the participant can reasonably expect will not be made public.
- A. Handle
  - B. Hand labor
  - C. Private applicator
  - D. Human Participant
  - E. None of the Above

**41.** This term means private information must be individually identifiable in order for the acquisition of that information to constitute research involving human participants. Individually identifiable means that the identity of the participant is or may readily be ascertained by the investigator or associated with the information.

- A. Handle
- B. Hand labor
- C. Private applicator
- D. Human Participant
- E. None of the Above

**42.** \_\_\_\_\_ means a person who has qualified by examination in one or more pest control categories to supervise pesticide applications.

- A. Fieldworker
- B. Qualified applicator certificate holder
- C. Industrial use
- D. Institutional Review Board
- E. None of the Above

**43.** \_\_\_\_\_ means any person who, for any kind of compensation, performs cultural activities in a field. Fieldworker does not include persons performing tasks as a crop advisor, including field checking or scouting, making observations of the well being of the plants, or taking samples, nor does it include local, state, or federal officials performing inspection, sampling, or other similar official duties.

- A. Fieldworker
- B. Qualified applicator certificate holder
- C. Industrial use
- D. Institutional Review Board
- E. None of the Above

**44.** \_\_\_\_\_ means use for or in a manufacturing, mining or chemical process; or use in the operation of factories, processing plants, and similar sites.

- A. Fieldworker
- B. Qualified applicator certificate holder
- C. Industrial use
- D. Institutional Review Board
- E. None of the Above

**45.** \_\_\_\_\_ means any individual, partnership, association, corporation, business entity or organized group of persons whether incorporated or not.

- A. Pest management guides
- B. Personal protective equipment
- C. Person
- D. Operator of the property
- E. None of the Above

**46.** \_\_\_\_\_ means apparel and devices worn to minimize human body contact with pesticides or pesticide residues that must be provided by an employer and are separate from, or in addition to, work clothing.

- A. Pest management guides
- B. Personal protective equipment
- C. Person
- D. Operator of the property
- E. None of the Above

**47.** \_\_\_\_\_ may include, chemical resistant suits, chemical resistant gloves, chemical resistant footwear, respiratory protection devices, chemical resistant aprons, chemical resistant headgear, protective eyewear, or a coverall (one- or two-piece garment).

- A. Pest management guides
- B. Personal protective equipment
- C. Person
- D. Operator of the property
- E. None of the Above

**48.** \_\_\_\_\_ are manuals prepared by the department or University of California that include pest management information on specific crops and which have been adopted as a standard by the director.

- A. Pest management guides
- B. Personal protective equipment
- C. Person
- D. Operator of the property
- E. None of the Above

**49.** Any substance or mixture of substances that is a pesticide as defined in the Food and Agricultural Code and includes mixtures and dilutions of pesticides;

- A. Pesticide Safety Information Series
- B. Pesticide exposure study
- C. Pesticides in toxicity category one
- D. Pesticide
- E. None of the Above

**50.** As the term is used in Section 12995 of the Food and Agricultural Code, includes any substance or product that the user intends to be used for the pesticidal poison purposes specified in Sections 12753 and 12758 of the Food and Agricultural Code.

- A. Pesticide Safety Information Series
- B. Pesticide exposure study
- C. Pesticides in toxicity category one
- D. Pesticide
- E. None of the Above

51. \_\_\_\_\_ means: A data gathering project that meets one or more of the following criteria: Human participants are to be directly exposed to the pesticide for the purpose of determining its pharmacokinetics or pharmacodynamics;
- A. Pesticide Safety Information Series
  - B. Pesticide exposure study
  - C. Pesticides in toxicity category one
  - D. Pesticide
  - E. None of the Above
52. \_\_\_\_\_ means a series of leaflets that summarize health and safety aspects of various pesticides and groups of pesticides.
- A. Pesticide Safety Information Series
  - B. Pesticide exposure study
  - C. Pesticides in toxicity category one
  - D. Pesticide
  - E. None of the Above
53. \_\_\_\_\_ means pesticide products which are required to prominently display the signal word "DANGER" on the label.
- A. Pesticide Safety Information Series
  - B. Pesticide exposure study
  - C. Pesticides in toxicity category one
  - D. Pesticide
  - E. None of the Above
54. \_\_\_\_\_ means pesticide products which are required to prominently display the signal word "WARNING" on the label.
- A. Pesticide Safety Information Series
  - B. Pesticide exposure study
  - C. Pesticides in toxicity category one
  - D. Pesticide
  - E. None of the Above
55. \_\_\_\_\_ means a pesticide permit that identifies the specific area to be treated, the size of that area, and the commodity(ies) or site(s) on that area to be treated.
- A. Structural use
  - B. Substantial drift
  - C. Site specific
  - D. Time specific
  - E. None of the Above
56. \_\_\_\_\_ means a use requiring a license under Chapter 14 (commencing with section 8500), Division 3 of the Business and Professions Code.
- A. Structural use
  - B. Substantial drift
  - C. Site specific
  - D. Time specific
  - E. None of the Above

**57.** \_\_\_\_\_ means the quantity of pesticide outside of the area treated is greater than that which would have resulted had the applicator used due care.

- A. Structural use
- B. Substantial drift
- C. Site specific
- D. Time specific
- E. None of the Above

**58.** \_\_\_\_\_ means a pesticide permit that specifies the date the intended application is to commence or permit with a notice of intent requirement.

- A. Structural use
- B. Substantial drift
- C. Site specific
- D. Time specific
- E. None of the Above

**59.** The pesticide use may commence within four days following such date if delays are caused by uncontrollable conditions such as adverse weather or unavailability of equipment.

- A. Structural use
- B. Substantial drift
- C. Site specific
- D. Time specific
- E. None of the Above

**60.** The commissioner shall require a notice of intent from either the grower, the grower's authorized representative, or the pest control business when necessary to make the permit time and site specific.

- A. Structural use
- B. Substantial drift
- C. Site specific
- D. Time specific
- E. None of the Above

**61.** \_\_\_\_\_ means a field that has been treated with a pesticide or had a restricted entry interval in effect within the last 30 days.

- A. Work clothing
- B. Weed oil
- C. Treated field
- D. Restricted entry interval
- E. None of the Above

**62.** A \_\_\_\_\_ includes associated roads, paths, ditches, borders, and headlands, if the pesticide was also directed to those areas.

- A. Work clothing
- B. Weed oil
- C. Treated field
- D. Restricted entry interval
- E. None of the Above

63. \_\_\_\_\_ means a pesticide, the label of which states that the product may be used, by itself, to control weeds, and which contains 70 percent or more of the following active ingredients: petroleum hydrocarbons, mineral oil, petroleum oil, petroleum distillates, and/or aromatic petroleum distillates.

- A. Work clothing
- B. Weed oil
- C. Treated field
- D. Restricted entry interval
- E. None of the Above

64. \_\_\_\_\_ means garments such as long-sleeved shirts, short-sleeved shirts, long pants, short pants, shoes, and socks.

- A. Work clothing
- B. Weed oil
- C. Treated field
- D. Restricted entry interval
- E. None of the Above

65. \_\_\_\_\_ means the period of time after a field is treated with a pesticide during which restrictions on entry are in effect to protect persons from potential exposure to hazardous levels of residues.

- A. Work clothing
- B. Weed oil
- C. Treated field
- D. Restricted entry interval
- E. None of the Above

**You are finished... Please submit the answer key with your regular assignment.**



**Registration form**

**DPR Supplement Exam**

**Start and finish dates:** \_\_\_\_\_

*You will have 90 days from this date in order to complete this course*

**Name** \_\_\_\_\_ **Signature** \_\_\_\_\_

*(This will appear on your certificate as above)*

**Address:** \_\_\_\_\_

**City** \_\_\_\_\_ **State** \_\_\_\_\_ **Zip** \_\_\_\_\_ **Email** \_\_\_\_\_

**Phone:**  
**Home** (    ) \_\_\_\_\_ **Work** (    ) \_\_\_\_\_ **Fax** (    ) \_\_\_\_\_

**License or Operator ID #** \_\_\_\_\_ **Exp Date** \_\_\_\_\_

**Class/Grade** \_\_\_\_\_

**Please circle which certification you are applying the course CEU's/PDH's.**

Commercial Applicator    Residential Applicator    Industrial Applicator

Pesticide Handler    Agricultural Applicator    Advisor    Aerial Applicator

Other \_\_\_\_\_

***Your certificate will be mailed to you in about two weeks.***

**Technical Learning College**  
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## Supplement Answer Key

Name

Address

Please circle the best answer

- |     |           |     |           |
|-----|-----------|-----|-----------|
| 1.  | A B C D E | 35. | A B C D E |
| 2.  | A B C D E | 36. | A B C D E |
| 3.  | A B C D E | 37. | A B C D E |
| 4.  | A B C D E | 38. | A B C D E |
| 5.  | A B C D E | 39. | A B C D E |
| 6.  | A B C D E | 40. | A B C D E |
| 7.  | A B C D E | 41. | A B C D E |
| 8.  | A B C D E | 42. | A B C D E |
| 9.  | A B C D E | 43. | A B C D E |
| 10. | A B C D E | 44. | A B C D E |
| 11. | A B C D E | 45. | A B C D E |
| 12. | A B C D E | 46. | A B C D E |
| 13. | A B C D E | 47. | A B C D E |
| 14. | A B C D E | 48. | A B C D E |
| 15. | A B C D E | 49. | A B C D E |
| 16. | A B C D E | 50. | A B C D E |
| 17. | A B C D E | 51. | A B C D E |
| 18. | A B C D E | 52. | A B C D E |
| 19. | A B C D E | 53. | A B C D E |
| 20. | A B C D E | 54. | A B C D E |
| 21. | A B C D E | 55. | A B C D E |
| 22. | A B C D E | 56. | A B C D E |
| 23. | A B C D E | 57. | A B C D E |
| 24. | A B C D E | 58. | A B C D E |
| 25. | A B C D E | 59. | A B C D E |
| 26. | A B C D E | 60. | A B C D E |
| 27. | A B C D E | 61. | A B C D E |
| 28. | A B C D E | 62. | A B C D E |
| 29. | A B C D E | 63. | A B C D E |
| 30. | A B C D E | 64. | A B C D E |
| 31. | A B C D E | 65. | A B C D E |
| 32. | A B C D E |     |           |
| 33. | A B C D E |     |           |
| 34. | A B C D E |     |           |

