



Agricultural Commissioner  
Edmund E. Williams

Chief Deputy  
Korinne M. Bell



May 26, 2020

SUBJECT: Pesticide applications during public school shutdowns due to COVID 19

Dear growers and pest control businesses:

On May 7, 2020, the California Department of Pesticide Regulation notified our office of special requirements for pesticide applications near residents due to concerns for children that are staying at home for school during the COVID 19 crisis.

Health risks and vulnerabilities are heightened, given the growth of the COVID-19 pandemic, and in response to school closures and stay-at-home orders, children and families are now required to be at their home or place of residence. As such, children are now generally likely to be at home during the normal school day and potentially through the summer months and into the 2020/2021 school year, until the orders are lifted and schools return to their regular schedules.

State law requires CACs to protect students participating in educational instruction at home, along with their families and others providing that educational instruction at home, as well as students, parents, teachers, and other personnel who remain present at school sites during the COVID-19 emergency.

Please note that State regulations require annual notification by property operators within ¼ mile of all school sites of pesticides that are expected to be used from July 1 of the current year through June 30 of the following year. (Cal. Code Regs., tit. 3, § 6692.) **DPR also strongly encourages CACs to have growers provide appropriate notices to nearby residents, to the extent feasible.** DPR's Executive Guidance reinforces existing law and encourages good-neighbor communication practices to residents, families and schools, during the COVID-19 emergency.

Under State regulations, applicators must evaluate surrounding properties prior to applying pesticides and must perform pest control in a careful manner.

**This includes but is not limited to the following legal requirements:**

- Pesticide applications *are expressly prohibited* when there is a "reasonable possibility of contamination of the bodies or clothing of persons not involved in the application process." (California Code of Regulations title 3, § 6614 (b)(1).)
- A pesticide may not be applied except in a manner that is careful and that prevents drift. (Food & Agricultural Code, § 12972; Cal. Code Regs., title 3, § 6600.)
- When reviewing an application for a restricted material permit or notice of intent to apply a restricted material, the CAC must ensure protection of schools and homes. Specifically, CACs must impose specific conditions of use or must deny an application based on adverse impacts from the

proposed application, including impacts that may result from a reasonable possibility of drift. (Food & Agricultural Code, §§ 14000, et seq.; Cal Code Regs., title 3, §§ 6400, et seq.)

- Pesticide applicators must follow all label directions, including all requirements to prevent exposure to workers, bystanders, and the environment. (Food & Agricultural Code, § 12973.)

Children and families will now generally be present at home during the COVID-19 emergency. As such, DPR is recommending that **violations that occur near homes or schools during the emergency should be considered “Class A” violations and should carry fines at the top of the range; and CACs should charge a separate violation for each person with an acute illness from pesticide exposure caused by the violation.**

By providing you with this notification I encourage you to provide appropriate notification of your intended pest management practices to those residents near your farm and pest control operations, especially during the period of this COVID 19 emergency.

If you have any questions, or need additional information, please contact my offices either in Santa Paula at (805) 933-2926, or Camarillo at (805) 388-4222.

Sincerely,



Edmund E. Williams  
Agricultural Commissioner