



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

FIGHTING FOR JUSTICE, CHANGING LIVES

SINCE 1966

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Jose R. Padilla
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Monday, January 25, 2016

Monet Vela
Office of Environmental Health Hazard Assessment
Sacramento, CA

Via email: P65Public.Comments@oehha.ca.gov ;
monet.vela@oehha.ca.gov

Dear Ms. Vela:

These comments are submitted by California Rural Legal Assistance Inc. and California Rural Legal Assistance Foundation, statewide organizations advocating for rights and wellbeing of agricultural workers and other rural poor.

Our review and comments are mainly limited to pesticide warning requirements for agricultural workers. That said, we are pleased to note the some parts of the revised regulations would require warnings that specifically identify some chemicals. This is an improvement over the generic warnings currently required. We also appreciate that some proposed changes require warnings in languages other than English where that is appropriate.

However we are concerned that occupational pesticide warnings for agricultural workers remain completely inadequate, given that nothing in all of the Title 3 pesticide use regulations, including the Pesticide Safety Information Series posters, require agricultural employers to provide any additional information or training for Proposition 65 chemicals beyond what is already required by other existing laws.

Accordingly, we urge the deletion of the phrase "...or, for pesticides, the Pesticides and Worker Safety requirements (Title 3, California Code of Regulations section 6700 et seq)" from proposed section 25606.

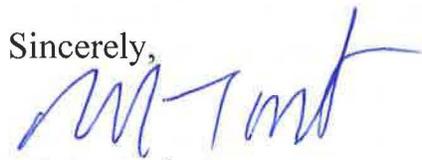
Agricultural employees, just like people employed in all other industries in California, should receive the same Proposition 65 information and training as that required by the California Hazard Communication Standard, Title 8, California code of Regulations section 5194. For example, many of the training elements required by section 5194(h) are not contained in 3 CCR section 6700, et seq, and agricultural employees would greatly benefit from receiving this enhanced level of training. There is no reason to treat California's agricultural workers less favorably than workers in other industries.

If anything, agricultural workers deserve heightened Proposition 65 protections because they are exposed to tank mixes and residues of multiple pesticides in the fields where they work. Given that their exposures to Proposition 65 pesticides are more akin to environmental exposures, it would be appropriate to extend the environmental exposure warnings to farmworkers. Thus, we propose the following addition to proposed occupational warning section 25606:

(b) Warnings for agricultural pesticide exposures shall meet the requirements set forth in Section 25604(a) and 25605(a).

Thank you for your attention to these comments.

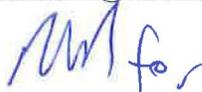
Sincerely,



Michael Meuter

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