

California Code of Regulations (Title 3. Food and Agriculture)
Division 6. Pesticides and Pest Control Operations
Chapter 3. Pest Control Operations
Subchapter 2. Work Requirements
Article 3. Protection of Bees

6650. Pesticides Toxic to Bees.

(a) Pesticides toxic to bees are those that include the words "toxic to bees" on the labeling of the pesticide, regardless of modifying words on the label that state "highly" or "moderately."

(b) Bees are considered to be inactive from one hour after sunset to two hours before sunrise or when the temperature is below 55 degrees Fahrenheit. The sunset and sunrise times will be those indicated in the local newspaper.

(c) Residual toxicity (RT) time is that period of time after completing a pesticide application until there is minimal toxic effect to bees. The RT time is specified on product labeling and is based upon Residual Toxicity₂₅ (RT₂₅) studies. RT₂₅ studies determine 25 percent bee mortality based on the test bee population exposed to the formulated pesticide product applied to foliage.

NOTE: Authority cited: Section 29102, Food and Agricultural Code.
Reference: Sections 29100 and 29102, Food and Agricultural Code.

6651. Vector Control Exemption.

Pesticides diluted in onehalf gallon of water or more per acre applied by local vector control agencies or their contractors pursuant to a cooperative agreement with the Department of Health Services are exempt from the requirements of this article.

NOTE: Authority cited: Section 29102, Food and Agricultural Code.
Reference: Sections 29100 and 29102, Food and Agricultural Code.

6652. Availability for Notification.

(a) Each beekeeper who desires advance notice of applications of pesticides shall inform the commissioner of a two-hour period between 6 a.m. and 8 p.m. each day, during which time the beekeeper shall be available for contact, at the beekeeper's expense, to receive advance notice from persons intending to apply pesticide(s). This request for notification shall expire on December 31 each year.

(b) This Section shall apply statewide. However, from March 15 through May 15 in a citrus/bee protection area, if there are conflicts between the provisions of this Section and those of Section 6656, Section 6656 shall prevail.

NOTE: Authority cited: Section 11456 and 29102, Food and Agricultural Code.
Reference: Section 29102, Food and Agricultural Code.

6654. Notification to Beekeepers.

(a) Each person intending to apply any pesticide toxic to bees to a blossoming plant shall, prior to the application, inquire of the commissioner, or of a notification service designated by the commissioner, whether any beekeeper with apiaries within one mile of the application site has requested notice of such application.

(b) If the person performing pest control is advised of a request for notification, he or she shall notify the beekeeper, at least 48 hours in advance of the application, of the time and place the application is to be made, the crop and acreage to be treated, the method of application, the identity and dosage rate of the application to be applied, and how the person performing pest control may be contacted by the beekeeper. This time may be increased or decreased by the commissioner, or by an agreement of both the beekeeper and the person performing the pest control work.

(c) This section shall apply statewide. However, from March 15 through May 15 in a citrus/bee protection area, if there are conflicts between the provisions of this section and those of section 6656, section 6656 shall prevail.

NOTE: Authority cited: Section 29102, Food and Agricultural Code.
Reference: Section 29102, Food and Agricultural Code.

6655. Notification Region for Butte, Glenn and Tehama Counties.

(a) The counties of Butte, Glenn, and Tehama are established as a region for the notification of apiary owners of pesticide applications by pest control operators who are registered with the commissioners of any of these counties pursuant to Section 11732 of the Food and Agricultural Code, and who are required to give notification to beekeepers pursuant to Section 6654.

(b) The agricultural commissioner of Glenn County shall be the coordinator for the region.

(c) Pest control operators specified in (a) shall pay an annual fee of \$75.00 to the coordinator. The fee shall be paid at the same time the operator registers with any of the commissioners in the region as specified in (a).

(d) Beekeepers who have filed a request with any of the agricultural commissioners of the region for notification of pesticide usage pursuant to Section 29101 of the Food and Agricultural Code, shall pay an annual fee to the coordinator in accordance with the following schedule:

<u>Beehives</u>	<u>Annual Fee</u>
1 to 100	\$ 10.00
101 to 500	\$ 25.00
501 to 2,000	\$ 50.00
over 2,000	\$100.00

The fee shall be paid at the same time the beekeeper files a request for notification of pesticide applications with any of the commissioners of the region.

NOTE: Authority cited: Sections 11456, 29080, 29081 and 29082, Food and Agricultural Code.

Reference: Sections 29080, 29081, 29082, and 29101, Food and Agricultural Code.

6656. Citrus/Bee Protection Area.

(a) The area within one mile of any citrus planting of one acre or more in Fresno, Kern, or Tulare County is designated as a citrus/bee protection area.

(b) The citrus bloom period, in any citrus grove, for purposes of declaring bloom and label interpretation, shall be from when 10 percent of the total citrus blossoms are open until 75 percent of the blossom petal on the north side of the trees have fallen. The commissioner shall give public notice of the official beginning and ending dates of each citrus bloom period for each citrus growing district in the county, at least three days before establishing such dates.

(c) Pesticide applications may be made 48 hours or more after the official end of citrus bloom without advance notification to beekeepers until March 15 of the following year pursuant to section 6654(c). Growers/pesticide applicators wishing to make pesticide applications prior to 48 hours after the official end of bloom shall follow the inquiry and notification procedures specified in subsections(a) and (b) of section 6654.

(d) Each person who owns or operates any apiary within a citrus/bee protection area from March 15 through May 31, shall file a written notice of apiary locations with the commissioner before March 15 and shall update such notice, including notice of departure from the citrus/bee protection area.

(e) Within a citrus/bee protection area, each beekeeper who desires notifications of applications of pesticides shall be available for telephone contact at the beekeeper's expense between 4 p.m. and 7 p.m., Monday through Saturday from March 15 through May 31, to receive advance notice for persons intending to apply pesticide(s).

(f) Any person intending to apply a pesticide toxic to bees to citrus during a citrus bloom period, except as otherwise provided in this subsection, shall file a notice of intent with the commissioner as provided in section 6434(b) at least 48 hours prior to the intended

application. This subsection shall not apply to pesticides listed in section 6656(g) applied when bees are inactive.

(g) Notwithstanding section 6654(b), the following pesticide applications may be made within a citrus/bee protection area during the citrus bloom period when bees are inactive without notifications to beekeepers:

- (1) Methomyl (Lannate);
- 2) formetanate (Carzol);
- (3) Chlorpyrifos (Lorsban);
- (4) Any pesticide applied so that the RT period shown on the labeling will expire before the next period of bee activity.

(h) Except for applications of pesticides listed in subsection (g), and applications of pesticides that are not toxic to bees, within a citrus/bee protection area during the citrus bloom period, an application delay of 48 hours or more requires that the person intending to apply the pesticide re-contact beekeepers and inform them of the change in scheduling.

(i) The following applications to citrus are prohibited within a citrus/bee protection area:

- (1) Carbaryl (Sevin) from first bloom until complete petal fall.
- (2) Any pesticide toxic to bees, except those exempted in subsection (g) during a citrus bloom period, unless the need for control of lepidoptera larvae or citrus thrips (*Scirtothrips citri*) has been established by written recommendation of a representative of the University of California, Agricultural Extension Service, or a licensed agricultural pest control adviser. The recommendation shall state either that the citrus planting does not meet the citrus bloom period criteria, or why alternatives less hazardous to bees would not be effective. For azinphos-methyl (Guthion), this requirement shall remain in effect until complete petal fall.

NOTE: Authority cited: Sections 11456 and 29102, Food and Agricultural Code.
Reference: Sections 29100, 29101 and 29102, Food and Agricultural Code.