

Environment & Energy

Pesticide Exposures Put California Company's License at Risk

By Zach Bright

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- Substance, 1,3- dichloropropene, linked to cancer
 - Department rolls out proposed rule on chemical
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The license for one of California's largest field fumigators is at risk for its role in allegedly exposing bystanders to a cancer-linked pesticide, the state's top pesticide regulator said Tuesday.

The California Department of Pesticide Regulation is taking licensing action against TriCal Inc., a pesticide application company that uses 1,3- dichloropropene—often known as Telone—and chloropicrin. Farmers use the substance to kill pests like nematode by injecting the fumigant into soil before planting certain crops.

The department's licensing action cites nine recent episodes of pesticide exposure, including three misapplications from 2018 to 2020, when dozens of bystanders showed acute health symptoms of pesticide exposure.

"This is an unacceptable pattern of egregious and dangerous actions that place workers and the public in danger," said Ken Everett, DPR assistant director. "We take our mission and role in protecting human health and the environment very seriously and hold pesticide applicators to a high standard for compliance."

Downgraded Chemical

The US Environmental Protection Agency's inspector general, in a July report, questioned the science and faulted the procedures the agency used when in 2019 it downgraded 1,3-dichloropropene from being classified as "likely to be carcinogenic to humans" to having "suggestive evidence of carcinogenic potential"—a change that allowed people to be exposed to much more of the pesticide.

As of October, the Inspector General didn't agree with the agency's plans to address the agency internal watchdog's concerns.

Several county agricultural commissioners, district attorneys and the EPA's Region 9 have previously investigated the company for 40 violation incidents since 2014, according to a release from the state Department of Pesticide Regulation.

TriCal, which works throughout Central and Northern California, has already paid more than \$125,000 in civil penalties to county agricultural commissioners and a \$44,275 fine to the EPA.

Proposed Regulations

The Department of Pesticide Regulation on Tuesday also introduced proposed regulations to limit 1,3-dichloropropene exposure.

The rules would make the state further exceed the EPA's standards on the substance, according to Karen Morrison, the department's chief deputy director and science adviser.

Planters would be required to use totally impermeable film tarps over fields to prevent air emissions of the pesticide. Setback requirements would be expanded and application rates, acreage, and the allowed application methods would be further limited if the regulations are adopted.

"Reducing human health risks from 1,3-D exposure is a priority for the state," Department Director Julie Henderson said in a release. "Taking action to strengthen restrictions on the use of 1,3-D to lower those risks is core to our mission of protecting human health and the environment."

The regulations were designed to address the cancer and health risks of bystanders, which can be caused by exposure to 1,3-dichloropropene. Separate regulations are being developed to address risks to workers who apply the substance to fields.

Public comment on the regulations open Nov. 18 and close Jan. 18, with a public hearing set to be held on the final day.

—*With assistance from Pat Rizzuto.*

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