

STATE OF CALIFORNIA
PESTICIDE EPISODE INVESTIGATION REPORT

DEPARTMENT OF PESTICIDE REGULATION
 ENFORCEMENT BRANCH

PR-ENF-127 (REV. 8/07)

Page 1 of 6

RECEIVED BY Santa Cruz CAC	RECEIVED FROM DPR	REPRESENTING WHS	DATE/TIME RECEIVED 12/8/2020	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	PERSON NOTIFIED DFA _____ DFG _____ DHS _____ DIR _____ EPA _____ CAC _____ OTHER _____
TYPE OF EPISODE <input checked="" type="checkbox"/> HUMAN EFFECTS # 1		<input type="checkbox"/> ENVIRONMENTAL EFFECTS		PRIORITY INVESTIGATION <input checked="" type="checkbox"/> YES # 69-SCR-20 <input type="checkbox"/> NO	
OTHER I.D. NO. n/a		COUNTY OF OCCURRENCE Santa Cruz	DATE OF OCCURRENCE MO 12 DAY 2 YR 20	TIME 1331	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM
EPISODE LOCATION Felton, CA, 95018					

INJURED/COMPLAINANT INFORMATION

COMPLAINT SIGNED <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	DR. VISITED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	EXTENT OF INJURY/ILLNESS <input type="checkbox"/> Fatal <input type="checkbox"/> Symptoms <input checked="" type="checkbox"/> Serious <input type="checkbox"/> Exposed Only	ACTIVITY OF PERSON EXPOSED/INVOLVED <input type="checkbox"/> Mixer/Loader <input type="checkbox"/> Field worker* <input type="checkbox"/> Applicator <input checked="" type="checkbox"/> Public* Other* Explain Home use
NAME [REDACTED]	AGE [REDACTED]	SEX [REDACTED]	WHS NO [REDACTED]
ADDRESS [REDACTED]	CITY Felton	ZIP 95018	PHONE [REDACTED]
MEDICAL FACILITY NAME Dominian Hospital	<input checked="" type="checkbox"/> TREATMENT PROVIDED <input type="checkbox"/> OBSERVATION ONLY	HOSPITALIZED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	DATE/TIME ADMITTED 12/7/20 @ 2040 hrs
PHYSICIAN Dr. [REDACTED]	ADDRESS 1555 Soquel Drive, Santa Cruz, CA, 95065	PHONE 831-462-7700	DATE/TIME DISCHARGED 12/18/20 @ 2119 hrs
SIGNS/SYMPTOMS EXPERIENCED Upset stomach, diarrhea, blistered tongue, hoarseness, cough, etc			
EMPLOYER Unknown	ADDRESS n/a	PHONE n/a	

PROTECTIVE MEASURES USED	HANDS	INHALATION	OTHER	ENGINEERING CONTROLS
EYES <input type="checkbox"/> Safety Glasses <input type="checkbox"/> Goggles <input type="checkbox"/> Faceshield <input type="checkbox"/> Eye/Sun Glasses <input checked="" type="checkbox"/> None	<input type="checkbox"/> Cloth/Leather Gloves <input type="checkbox"/> Chem. Resistant Gloves <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> None	<input type="checkbox"/> Dust Mask <input type="checkbox"/> 1/2 Face Respirator <input type="checkbox"/> Full Face Respirator <input type="checkbox"/> SCBA <input checked="" type="checkbox"/> None	<input type="checkbox"/> Work Clothes <input type="checkbox"/> Coveralls <input type="checkbox"/> Chem. Resistant Clothes <input type="checkbox"/> Chem. Resistant Boots <input type="checkbox"/> Head Covering <input type="checkbox"/> Other _____	<input type="checkbox"/> Closed System <input type="checkbox"/> Enclosed Cab <input type="checkbox"/> Enc. Cab w/Air Purification <input type="checkbox"/> Other _____ <input checked="" type="checkbox"/> None

ENVIRONMENTAL OR PROPERTY DAMAGE

DESCRIPTION OF DAMAGE n/a	AMOUNT/VALUE n/a
OWNER n/a	PHONE n/a
ADDRESS n/a	

ALLEGED RESPONDENT(S)	<input type="checkbox"/> PCA	<input type="checkbox"/> DEALER	<input type="checkbox"/> PILOT	<input type="checkbox"/> GROWER	<input type="checkbox"/> AGENCY	<input type="checkbox"/> OTHER*
NAME n/a	PHONE n/a	LICENSE/PERMIT NO. n/a	RECOMMENDATION MADE <input type="checkbox"/> YES # n/a <input type="checkbox"/> NO			
ADDRESS n/a	EMPLOYER'S NAME n/a		PHONE n/a			
CITY n/a	STATE n/a	ZIP n/a	EMPLOYER'S ADDRESS n/a			
EXPLAIN* Home use	CITY n/a	STATE n/a	ZIP n/a			

PESTICIDE NAME/MANUFACTURER	EPA REGISTRATION NUMBER	CATEGORY	DOSE/DILUTION/VOLUME	TREATMENT DATE	COMMODITY/SITE TREATED
Spectracide Weed and	9688-265-8845	Warning	Unknown	n/a	n/a
Grass Killer Concentrate					

EQUIPMENT TYPE/MAKE/MODEL/DESCRIPTION
n/a

SUMMARIZE THE EPISODE INCLUDING A DETAILED DESCRIPTION OF EVIDENCE TAKEN (Use Episode Report Supplement Form PR-ENF-127A If Additional Space Is Needed)

See Attached Investigative Report

REPORT PREPARED BY (NAME/TITLE) Shane DeVine / Ag Biologist	DATE PREPARED 4/8/2021	REPORT REVIEWED/APPROVED BY (NAME/TITLE) Davis Sanford / Deputy Commissioner	DATE APPROVED 5/4/2021
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Print Form

Pesticide Illness Priority Investigation Report

Priority Episode #69-SCR-20

Worker Health & Safety Case #2020-994

Summary

On the afternoon of December 8, 2020, Santa Cruz County Deputy Agricultural Commissioner David Sanford requested I investigate a pesticide exposure incident involving [REDACTED]. From the California Pesticide Enforcement Activity Tracking System (CalPEATS) website I obtained a copy of a Pesticide Incident Report (PIR), dated December 9, 2020, regarding [REDACTED] [REDACTED] old male. Said PIR indicates that on December 3 [sic], 2020, at 1331 hours, [REDACTED] [REDACTED] thought he was taking a drink of ginger oil [sic] and inadvertently ingested an estimated one mouthful or eight ounces of pesticide Spectracide Weed and Grass Killer Concentrate. The PIR further states [REDACTED] experienced physical symptoms cough with blood, hoarse voice and vomiting within two days of pesticide ingestion but he did not go to Dominican Hospital Emergency Room (ER), Santa Cruz, California, until December 7, 2020, four [sic] days after the exposure incident. The PIR, and a second PIR dated December 23, 2020, indicate the tests [REDACTED]. [REDACTED] underwent, treatment he received, various diagnoses and prognoses and his admission to the hospital on December 7, 2020. Medical records obtained from the hospital note [REDACTED] diagnoses as acute renal failure, esophageal burn and chest congestion. Said records also include [REDACTED] various physical symptoms, examinations, tests, test results, therapies and medications he received before his discharged from the hospital on December 18, 2020. Statements made by [REDACTED] confirm ingestion of the pesticide was accidental. [REDACTED] [REDACTED] violated California Code of Regulations (CCR), section 6680 by placing referenced pesticide into a container of a type commonly used for food, drink or household products.

Violations

[REDACTED] violated California Code of Regulations, section 6680 (Attachment 1) by placing a pesticide into a container of a type commonly used for food, drink or household products.

Witnesses / Contacts

DeVine, Shane (investigator)
 Agricultural Biologist III
 Agricultural Commissioner's Office
 Santa Cruz County
 175 Westridge Drive
 Watsonville, CA 95076
 (831)763-8080

[REDACTED] (subject)

[REDACTED]
 Felton, CA 95018
 [REDACTED]

██████████ (spouse of subject)

██████████
Felton, CA 95018
██████████

Investigation and Statements

On the afternoon of December 8, 2020, Santa Cruz County Deputy Agricultural Commissioner David Sanford requested I investigate a pesticide exposure incident involving ██████████. From the California Pesticide Enforcement Activity Tracking System (CalPEATS) website I obtained a copy of a Pesticide Incident Report (PIR) regarding ██████████, ██████████ old male. Said PIR, dated December 9, 2020 (Attachment 7), indicates that on December 3 [sic], 2020, at 1331 hours, ██████████ thought he was taking a drink of ginger oil [sic] and accidentally ingested one mouthful or eight ounces of pesticide Spectracide Weed and Grass Killer Concentrate with active ingredients (a.i.) Diquat Dibromide, Fluazifop butyl and Dimethylamine salt at 2.3, 1.15 and 0.77 % respectively. The PIR further states ██████████ experienced physical symptoms cough with blood, hoarse voice and vomiting within two days of pesticide ingestion but he did not go to Dominican Hospital Emergency Room (ER), Santa Cruz, California, until December 7, 2020, four [sic] days after the exposure incident. Notwithstanding ██████████ statement upon arrival to the ER that he had ingested pesticide, delay in physical symptoms onset and in seeking medical care led ER personnel to briefly consider other causal factors for his illness. The PIR further indicates the tests ██████████ underwent, treatment he received, various diagnoses and prognoses and his admission to the hospital on December 7, 2020.

On this same date, at 1726 hours, I received by email a Pesticide Episode Notification Record (Attachment 6) from Deputy Sanford. Said form was completed by California Department of Pesticide Regulation (DPR) Enforcement Branch Liaison (EBL) Ms. Eliana Martinez, and cites the identity of the pesticide ingested by ██████████ as U.S. EPA Reg. No. 9688-265-8845, i.e., Spectracide Weed and Grass Killer Concentrate (Attachment 9).

On December 10, 2020, at 1345 hours, I telephoned ██████████ and left a detailed voicemail message requesting he contact me regarding his pesticide exposure incident. On this same date, at 1851 hours, I received a voicemail message from ██████████, stating she would be available the following morning to answer questions about referenced exposure incident.

On December 11, at 0946 hours, I telephoned ██████████ who in response to my questions stated the following in summary.

My husband ██████████ is currently in the ICU at Dominican Hospital but I should be able to answer some of your questions. On December 2, sometime after 1:00 p.m. and before approximately 5:30 p.m. when I returned home, my husband was in the garage and drank from a cup he thought contained ginger ale but in actuality contained pesticide. He forgot he had placed the pesticide in the cup earlier. I don't know if he could smell or taste the pesticide. My husband wears glasses but I am not sure if he was wearing them when the accident occurred. ██████████ ██████████
██████████

At first I did not know he actually drank the pesticide. I understood he had taken it in his mouth but spit it out. He was coughing and could not or would not talk. His physical symptoms were immediate and included upset stomach, diarrhea, blistering on the tongue, blood in his sputum, hoarseness and loss of voice and the coughing. I don't think he was urinating. He was vomiting a lot but that has happened before when he has been drinking. He wasn't eating or drinking fluids because it hurt to swallow. I tried to get him to eat some chicken soup but he couldn't. He was able to eat ice cream.

On Friday, two days after he became ill I called urgent care and told them my husband might have COVID-19 with severe flu symptoms so they provided medical advice for that. It was Sunday when I decided to call Poison Control and Monday I called his primary care physician. His doctor told me to get him to the hospital so I drove him there immediately. I believe the confusion as to why [REDACTED] was sick was his lack of desire or inability to communicate and, as one of the nurses pointed out, men are often reluctant to ask for help, to seek medical care. I'm not sure how long [REDACTED] was in the emergency room but he was taken to the intensive care unit that night. They were trying to flush the pesticide from his system with lots of fluids, a catheter and dialysis. He has a rash covering most of his body due to the pesticide or the medication they have given him. He may be in the critical care unit now. [REDACTED]
[REDACTED]

The label on the quart size pesticide container said it was Spectracide. The pesticide container does not look like the ginger ale bottle. [REDACTED] keeps pesticides in the garage, his shop, but I no longer have the Spectracide container; I took it to the hospital. [REDACTED] probably bought the pesticide at Scarborough Lumber.

[REDACTED] statement reveals the aforementioned PIR contains the following incorrect information:

- pesticide ingestion occurred on December 2 and not December 3;
- ginger oil was in actuality ginger ale; and
- arrival at the ER was five days after pesticide exposure and not four.

On this same date, I briefed Deputy Sanford on my telephone conversation with [REDACTED].

On this same date, using the United States Postal Service, I mailed to [REDACTED] a Medical Information Authorization form. During my telephone conversation with her earlier that morning I requested she sign said form to facilitate my acquisition of medical records pertaining to her husband's pesticide exposure incident. Days later I received by referenced postal service the Medical Information Authorization form signed by [REDACTED] (Attachment 3).

On December 28, 2020, I received an email from EBL Martinez requesting the status of my investigation of the [REDACTED] pesticide exposure incident. Attached to said email was a second PIR, dated December 23, 2020, regarding [REDACTED]. (The PIR dated December 23, 2020, is an updated version of the PIR dated December 9, 2020.) This second PIR (Attachment 8) indicates [REDACTED] stated he mistook the pesticide for ginger ale and that it tasted like ginger ale at first. The PIR further indicates [REDACTED] was ambulating yet continued to experience

physical symptoms due to his accidental ingestion of pesticide. On December 22, 2020, at 0930 hours, an entry was made on the PIR stating [REDACTED] was no longer at the hospital.

On this same date, at 1143 hours, I telephoned EBL Martinez and briefed her on my investigation thus far of [REDACTED] pesticide exposure incident.

On this same date, at 1410 hours, I telephoned Deputy Sanford and briefed him on my telephone conversation with EBL Martinez.

On February 22, 2021, at 1520 hours, I telephoned Dominican Hospital and spoke with Patient Services Technician [REDACTED] in the Medical Information Management Department. I explained to [REDACTED] my jurisdictional authority over investigations of pesticide exposure related illness in Santa Cruz County. I informed [REDACTED] I would send to her a written request for all medical records at Dominican Hospital regarding [REDACTED] pesticide exposure related illness.

On March 2, 2021, a memo (Attachment 5) requesting [REDACTED] medical records was faxed (Attachment 2) to [REDACTED] at Dominican Hospital. Attached to said memo was a copy of the Medical Information Authorization form signed by [REDACTED] and the PIR dated December 23, 2020.

On March 3, 2021, at 1453 hours, I received by fax from Dominican Hospital [REDACTED] medical records (Attachment 4). Referenced records titled Discharge Summary comprises 129 pages. Said records note [REDACTED] diagnoses acute renal failure, esophageal burn and chest congestion. Said records also include the various physical symptoms, examinations, tests, test results, therapies and medications [REDACTED] received before his discharge from the hospital on December 18, 2020.

On March 15, 2021, at 1410 hours, I telephoned [REDACTED] and spoke with [REDACTED] who said [REDACTED] was at the hospital undergoing test to determine his ability to return to work. [REDACTED] said she would have him telephone me upon his return. Moments later [REDACTED] telephoned me and in response to my questions stated the following in summary.

My ingestion of the pesticide was an accident. I made a mistake. Before using the pesticide I poured it in a cup, mixed it with water and then walked away. When I came back I was distracted and drank from the cup containing pesticide thinking it was ginger ale. I don't remember the pesticide tasting bad and swallowed it. Maybe four hours later I started throwing up. That night my symptoms got worse. My mind isn't doing well and I am having a hard time dealing with your questions; please speak with my wife.

After [REDACTED] asked me to speak with his wife, [REDACTED] came on the telephone and in response to my questions stated the following in summary.

[REDACTED] has just returned home from the hospital. He was being tested to see if he can return to work. His stamina has been low since his pesticide exposure but we are hoping he is well enough to go back to work. He has been on disability. He is not feeling quite normal yet but he may be able to return to work this week, maybe tomorrow. I believe the doctors and the hospital have approved his return to work. I think he may be a little afraid

to return to work. For whatever reason, [REDACTED] wasn't very truthful about drinking the pesticide in the beginning. He originally told me he had the flu or COVID-19, so when I called the Dominican Hospital Helpline I got medical advice for that. When I learned [REDACTED] accidentally drank the pesticide I called Poison Control and then his doctor.

Findings

[REDACTED] mixed water and an unknown amount of pesticide Spectracide Weed and Grass Killer Concentrate in a cup commonly used to hold beverages. Sometime later, thinking said cup contained ginger ale, [REDACTED] accidentally drank an unknown amount of aforesaid pesticide. Ingestion of the pesticide caused numerous severe physical symptoms resulting in [REDACTED] admission to the hospital. Ultimately [REDACTED] was discharged from the hospital and later evaluated to ascertain his ability to return to work. [REDACTED] violated CCR 6680 by placing the pesticide mixture into a container of a type commonly used for food, drink or household products.

Conclusions

[REDACTED] ingestion of pesticide Spectracide Weed and Grass Killer Concentrate resulted in severe physical symptoms that necessitated his hospitalization. [REDACTED] ingestion of the pesticide was accidental. [REDACTED] violated CCR 6680 by placing a pesticide into a container of a type commonly used for food, drink or household products.

Report submitted by,

Shane DeVine
Agricultural Biologist III
April 8, 2021

ATTACHMENTS

1. California Code of Regulations, section 6680
2. Fax, medical records request, March 2, 2021
3. Medical Information Authorization, [REDACTED] December 15, 2020
4. Medical Records, [REDACTED], Dominican Hospital
5. Memo, medical records request, March 1, 2021
6. Pesticide Episode Notification Record, December 8, 2020
7. Pesticide Incident Report, [REDACTED], 12/9/2020
8. Pesticide Incident Report, [REDACTED], 12/23/2020
9. Pesticide label, Spectracide Weed and Grass Killer Concentrate, U.S. EPA Reg. No. 9688-265-8845