

Overview of Proposed Regulation

The Division of Occupational Safety and Health (DOSH) has prepared this draft summary sheet to assist interested parties in understanding how proposed Section 5199.1 would apply in certain operations. This summary sheet is not intended to modify or replace the actual language of the proposed standard and will be changed if the proposed regulation changes. Please send any comments about this summary to dgold@dir.ca.gov.

Zoonotic Aerosol Transmissible Diseases (Proposed Section 5199.1)

Zoonotic diseases (also called epizootic diseases) are diseases that are caused by viruses, bacteria, or other pathogens that are transmitted from animals to humans, and cause human diseases. Zoonotic Aerosol Transmissible Diseases (Zoonotic ATDs) are diseases that are transmitted to humans by infectious aerosols, including dusts and respiratory secretions. Proposed section 5199.1 would apply to most employees who have contact with animals or animal remains as part of their job duties. The proposal's requirements are based on the status of zoonotic disease alerts issued by agencies responsible for assessing these risks.

Under normal circumstances the proposed standard would require only that employers address zoonotic disease hazards under their Injury and Illness Prevention Program (IIPP)¹ and existing sanitation regulations (as is currently required). [5199.1 (a)(2)(A)]

Wildlife -- Alert Issued [5199.1(b)]

If federal or state agencies issue an alert regarding the presence of a Zoonotic ATD in a wild animal species in California employers whose employees have occupational exposure to those animals are required to establish written procedures that include :

- Using work practices to minimize exposure (example: use of inverted plastic bag to collect dead birds)
- Using personal protective equipment (example: gloves) to minimize contact.
- Providing hand washing and other sanitation measures for use after contact with animals.
- Providing medical surveillance if recommended by local health officer, California Department of Public Health or U.S. Centers for Disease Control and Prevention (example: influenza vaccine, if it becomes recommended for poultry workers AND there is an alert for avian flu).
- Training.

Respirator use is required when there is an increased potential exposure to infectious aerosols including when handling animals in an enclosed or indoor area, when responding to a mortality event involving a large number of dead animals, or when there are enough animal related dusts to create an infection hazard. [5199.1(b)(3)]

Workplaces Under Quarantine Orders or other Movement Restrictions from USDA or CDFA²

The USDA and CDFA have jurisdiction over farms and many other operations involving animals in the event of a disease outbreak. If these agencies issue a quarantine order or movement restriction applicable to a specific establishment, the employer would be required to do the following [5199.1(c)]:

- Restrict access to areas where exposures to potentially infected animals or their wastes may occur, and record the identity of each person entering those areas. [5199.1(c)(1) and (c)(2)(G)]
- Ensure that employees working in restricted areas are:
 - Supervised and trained. [5199.1(c)(2)(A) and (F)]
 - Provided with and use personal protective equipment and clothing, access to drinking water, and sanitation facilities including change rooms and showers, or other effective means of protecting employees from infectious materials on their clothing. Employer is responsible for decontamination, laundering, and/or disposal of equipment, clothing and wastes. [5199.1(c)(2)(B)and (D)]
 - Provided with and use respirators if they enter enclosed areas containing potentially infectious animals or aerosols. [5199.1(c)(2)(C)]
 - Provided with medical surveillance, such as vaccinations and prophylactic medication, if recommended by public health authorities [5199.1(c)(2)(E)].

¹ 8 CCR 3203

² United States Department of Agriculture or California Department of Food and Agriculture

Work operations involving handling, culling, transporting, killing, eradicating, or disposing of animals infected with zoonotic ATP, or the cleaning and disinfection of areas that contained the animals or their wastes [5199.1(d)]

Operations involving the destruction of animals infected with zoonotic aerosol transmissible pathogens (or presumed to be infected), operations involving the disposal of those animals or their wastes, and operations involving the cleaning and disinfection of areas that contained infected animals or their wastes, are required to take additional measures to protect employees, as follows:

- Implement written procedures including a detailed work plan, site control measures, a list of tasks, exposures and control measures to be used, decontamination and disposal procedures, access to sanitation facilities and drinking water, and procedures for preventing heat illness. [5199.1(d)(1)(A)]
- Restrict access to areas that are contaminated with infected animals or their wastes, and areas in which decontamination of employees leaving the contaminated areas is performed. [5199.1(d)(1)(A)(2)]
- Designate a supervisor for each restricted area who will ensure that everyone entering the restricted area has been trained and their entry recorded, and who will ensure that the control measures are followed. [5199.1(d)(2)]
- Provide personal protective equipment, including eye protection and protective gloves and clothing. [5199.1(d)(3)]
- Ensure that people and equipment leaving the restricted area are decontaminated. [5199.1(d)(7)]
- Provide, and ensure that employees use, appropriate respirators when working in the restricted area, unless the employer can demonstrate through objective evidence that engineering and work practice controls have eliminated the hazard. Respirators must be selected to protect against both infectious materials and any chemical hazards that may be present. Unless the employer can demonstrate through objective evidence that a lower level of respiratory protection is sufficient, employees working in enclosed restricted areas must use at least an elastomeric facepiece respirator or powered air purifying respirator (filtering facepiece respirators are not permitted). [5199.1(d)(4)]
- Provide appropriate disposal for animal carcasses and wastes, in accordance with EPA and Cal/EPA regulations. [5199.1(d)(6)]
- Provide decontamination facilities for employees in the restricted area, including showers and change rooms. Where showers and change rooms are not feasible, the employer must provide alternate means of decontamination. [5199.1(d)(7)]
- Provide medical surveillance, which may include respirator medical evaluations, vaccinations, and prophylactic medications (such as oseltamivir). [5199.1(d)(8)]
- Provide training. [5199.1(d)(9)]
- Keep records of entry into the regulated area, exposures of employees to chemical hazards, training, medical surveillance, and other control measures. [5199.1(e)]
- If operations include the application of toxic or asphyxiant gases, the following additional written procedures must be utilized: [5199.1(d)(5)(A)-(G)]
 - Accounting for all personnel to ensure that no unprotected person is in the area at the time of application of the gas. This accounting must be documented by the supervisor of the area.
 - Signs on areas in which gases are applied.
 - Monitoring for oxygen deficiency and applied gases in areas where employees are working adjacent to where gases are applied. Employees must be immediately removed from the area when exposures exceed allowable limits.
 - Ventilation of areas where gases have been applied prior to re-entry of employees.
 - Clearance monitoring prior to re-entry into areas in which gases were applied, unless entry is made utilizing procedures for atmospheres immediately dangerous to life or health, including self-contained breathing apparatus.