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WSSA Pesticide Stewardship Series: Employers Play a Central Role in Protecting Agricultural Workers and Pesticide Handlers

LAWRENCE, Kansas – April 3, 2013 – An employer was fined recently after an inspection showed pesticide application information wasn't posted at the job site, and an employee applied a pesticide without safety training or personal protective equipment (PPE). The posting, safety training and PPE are all required under the U.S. Environmental Protection Agency's Agricultural Worker Protection Standard (WPS).

"The WPS is a regulation that protects agricultural workers and pesticide handlers on farms and in forests, nurseries and greenhouses from occupational exposure to pesticides used to treat agricultural plants," says Ofelio Borges, Farmworker Education Program Supervisor, Pesticide Management Division, Washington State Department of Agriculture. "The WPS offers protections to approximately 2.5 million people at more than 600,000 workplaces."

The detailed WPS regulation contains exact definitions, provisions, exceptions and exemptions. Employers must ensure they fully understand and comply with their WPS responsibilities. If they do not comply, their employees have the right to contact their [state pesticide regulatory agency](#) and cannot be retaliated against for doing so.

Key provisions of the WPS include:

Pesticide safety training is required for all agricultural workers and pesticide handlers, with a refresher program at least every five years.

Label and site-specific application information must be easily accessible to all workers and handlers. Label requirements related to safe use must be presented in a manner that will be understood. Central posting of recent pesticide applications is required as well.

Personal protective equipment must be provided by the employer as required on the pesticide label for the specific work task. Employers are also responsible for ensuring that PPE fits correctly and is worn. Reusable PPE must be properly cleaned, maintained, replaced and stored. Even when reduced PPE is permitted (for example, while the worker is in certain types of enclosed cabs), all PPE required by the pesticide label for that task must be provided and immediately available for use in an emergency. Employers must take any necessary steps to prevent heat-related illness while PPE is being worn.

Application equipment used for mixing, loading, transferring or applying pesticides must be inspected before each day of use for leaks, clogging and worn or damaged parts. The equipment must be repaired or replaced if damaged. Employers must also ensure that handlers know how to safely and correctly use pesticide application equipment.

Monitoring pesticide handlers is the responsibility of the employer when certain pesticides (those labeled Danger-Poison) or application methods (fumigants in a greenhouse) are used.

Protecting others during application is a must. Handlers are prohibited from applying a pesticide in a way that will expose workers or other persons. Workers are excluded from areas while pesticides are being applied. The employer must provide oral and written warnings to workers in a manner that the workers can understand.

Information exchange about treated areas is the responsibility of the employer. Commercial applicators must ensure the employer of the agricultural establishment (farm, forest, nursery or greenhouse) knows certain information about the pesticide before it is applied, and agricultural employers must ensure commercial applicators and crop advisors know specific information concerning treated areas, in order to protect each other's employees from pesticides.

Posted "treated area" warning signs must be visible from all usual points of worker entry. If there are no usual entry points, signs must be posted in the corners of the treated area or a location affording maximum visibility. The WPS defines content, size, location and time span for posted warning signs.

Restricted-entry intervals (REI) on the pesticide label specify the time interval when workers cannot enter a treated area, with few exceptions. The REI must be enforced by the employer.

Central posting is required for certain information, including a safety poster with WPS-specified information, emergency medical information and a 30-day listing of pesticide applications after either the expiration of the REI or after the application (if no REI exists). The information must be displayed in one or more central locations on the agricultural establishment, easily accessible to workers and handlers without their having to request it.

Decontamination supplies must be made available by the employer. Workers and handlers must have an ample supply of water, soap and towels within a quarter of a mile of the work site

for routine washing, and at least one pint of water immediately available to early-entry workers and handlers for eye flushing when the pesticide requires protective eyewear.

Emergency assistance in case of an accidental exposure is required. The employer must provide immediate transportation to a medical care facility and specific information about the pesticide. The name, address and telephone number of the nearest emergency medical care facility must be on the safety poster or displayed close to it, in a central location where it can be readily seen and read by workers and handlers.

“In most cases, state departments of agriculture are responsible for WPS implementation and compliance monitoring,” notes Borges. “However, it is the employer who has the central role in ensuring that workers and handlers are protected from possible pesticide exposure and injury.”

Some Key Resources Concerning the Worker Protection Standard:

- <http://www.epa.gov/agriculture/twor.html> Environmental Protection Agency (EPA) Worker Protection Standard
- <http://www.epa.gov/agriculture/factsheets/index.html> EPA Worker Protection Standard Fact Sheets
- <http://www.epa.gov/agriculture/htc.html> How to Comply With the Worker Protection Standard for Agricultural Pesticides: What Employers Need To Know

This is the eighth in a series on pesticide stewardship sponsored by the Weed Science Society of America. Next month: Pesticide Storage.

About the Weed Science Society of America

The Weed Science Society of America, a nonprofit scientific society, was founded in 1956 to encourage and promote the development of knowledge concerning weeds and their impact on the environment. The Weed Science Society of America promotes research, education and extension outreach activities related to weeds, provides science-based information to the public and policy makers, fosters awareness of weeds and their impact on managed and natural ecosystems, and promotes cooperation among weed science organizations across the nation and around the world. For more information, visit www.wssa.net.