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Worker Protection Standard for Agricultural Pesticides
Key Features

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On August 21, 1992, the U.S. Environmental Protection Agency (EPA) issued the final Worker Protection Standard (WPS) governing the protection of employees on farms and in forests, nurseries and greenhouses from occupational exposure to agricultural pesticides. The Standard covers workers in areas treated with pesticides and employees who handle pesticides for use in the production of agricultural plants. The new Standard took effect on October 21, 1992, and is enforceable when a WPS-labeled pesticide is being used.

The new Standard expands the requirements for issuing warnings about pesticide applications, using personal protective equipment and restricting entry to treated areas. New requirements have also been added for decontamination, emergency assistance, maintaining contact with handlers of highly toxic pesticides and pesticide safety training.

The new Standard also requires that pesticide registrants add appropriate labeling statements referencing the WPS regulations and specifying application restrictions and other regulatory requirements.

Affected employers

Agricultural employers who will probably need to comply with the WPS are:

- Managers or owners of any farm, forest, nursery or greenhouse.
- Labor contractors for any farm, forest, nursery or greenhouse.
- Custom pesticide applicators or independent crop consultants hired by a farm, forest, nursery or greenhouse operation.

Most WPS provisions are protections that you as an employer must provide to your own employees and, in some instances, to yourself. Owners of agricultural establishments and their immediate families are exempt from many of the WPS requirements. If you are an owner, review MU publication G858, *Agricultural Owners, Family Labor and the Worker Protection Standard* concerning your WPS requirements.

Affected employees

The WPS requires employers to take steps to protect two types of agricultural employees: workers and pesticide handlers.

The terms "workers" and "pesticide handlers" are defined very specifically in the WPS, but in general terms they can be defined as:

- Agricultural workers — those who perform tasks related to the cultivation and harvesting of plants on farms or in greenhouses, nurseries or forests.
- Pesticide handlers — those who handle agricultural pesticides (mix, load, apply, clean or repair equipment, act as flaggers, etc.).

Depending on the task(s) being performed, employers may need to provide the same employee with worker protection in some instances and pesticide handler protections in others.

General WPS provisions

The provisions of the new Worker Protection Standard are intended to: (1) eliminate exposure to pesticides; (2) mitigate exposures that occur; and (3) inform employees about the hazards of pesticides.

Eliminate pesticide exposure. The final rule of the WPS reduces pesticide exposure through several requirements:

- Protection during applications — handlers are prohibited from applying a pesticide in a way that will expose workers or other persons; workers are excluded from areas that are being treated with pesticides.
- Restricted-entry intervals (REIs) — REIs are established for all pesticides used in the pro-

duction of agricultural plants. They range from 12 to 72 hours, depending on toxicity. Workers are excluded from areas under an REI, with only narrow exceptions.

- Personal protective equipment (PPE) — the regulation mandates providing and maintaining PPE for handlers and early-entry workers. Review MU publication G1917, *Personal Protective Equipment for Working with Pesticides.*
- Notification of workers — workers must be notified about treated areas so they can avoid inadvertent exposures.

Mitigate pesticide exposure. Exposure to pesticides is mitigated in the final rule through the following provisions:

- Decontamination supplies — providing handlers and workers an ample supply of water, soap and towels for routine washing and emergency decontamination.
- Emergency assistance — making transportation available to a medical care facility if an agricultural worker or handler may have been poisoned or injured by a pesticide, and providing information about the pesticide(s) to which the worker or handler may have been exposed.

Inform employees about pesticide hazards. The final rule provides information about pesticide hazards through the following requirements:

- Pesticide safety training — requiring training for all workers and handlers.
- Pesticide safety poster — requiring the posting of a pesticide safety poster.
- Access to labeling information — requiring that pesticide handlers and early-entry workers are informed of pesticide label safety information.
- Access to specific information — requiring a centrally located listing of recent pesticide treatments on the establishment.

Implementation schedule

Pesticide labels will soon reflect the new WPS requirements. All pesticide products affected by the WPS will carry a statement under the new Agricultural Use Directions section of the label. This statement will instruct users that they must comply with all provisions of the WPS. If you are using a pesticide product with labeling that refers to the Worker Protection Standard, you must comply with the WPS.

The Worker Protection Standard has established a compliance schedule that will implement the provisions of the WPS in two phases. When a pesticide with WPS labeling is used, this schedule is as follows:

- Product-specific requirements (PPE, REIs and the requirement on some products to warn both orally and by posting treated areas) were enforceable no sooner than April 21, 1993.
- Generic WPS requirements, such as training, decontamination, duties related to PPE, general notification and emergency assistance, were enforceable on or after April 15, 1994.

Workers and handlers do not have to comply with the WPS until their pesticide labels are revised to include the specific provisions of the Standard. According to the Standard, pesticide labels do not have to be revised and in the channels of trade until April 21, 1994. Products that do not bear the required WPS statements may not be sold or distributed by anyone after October 23, 1993.

For additional information on the Worker Protection Standard, review MU publication G858, *Agricultural Owners, Family Labor and the Worker Protection Standard* and MU publication G857, *Worker Protection: An Employer's Guide to Worker Protection Standard Compliance.*

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