



Sweeping Changes to the Worker Protection



Standard Impacts All Farms

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On January 1, 2016, the United States Environmental Protection Agency (EPA) finalized the revisions to the agriculture worker protection standard (WPS).

The WPS is a federal regulation that applies to pesticide handlers and workers in areas where pesticides are used in production agriculture.

The goal is to help protect the nation's two million agricultural workers from pesticide related incidents and repeated exposure in hopes to create a healthier workforce.

The first WPS was published in 1992 and implemented in 1995. Twenty years later, EPA saw the need to strengthen those regulations. According to EPA, there are 1,800-3,000 incidents annually involving pesticide exposure. The new regulations will offer similar health protections that are already given to workers in other industries.

Worker Protection Standard Highlights:

Requirement	1992 WPS	New WPS
Training for workers and pesticide handlers	Every 5 years for workers and handlers.	Annual training for workers and handlers.
Training grace period	2-day grace period.	No grace period.
Qualification of trainers for workers	Pesticide handlers, certified applicators, or persons completing train-the-trainer course.	Certified applicators or persons completing an EPA approved train-the-trainer course.
Training	11 basic items for workers & 13 items for handlers.	23 items for workers & 36 items for handlers.
Training record keeping	Not required.	Keep records of training for 2 years.
Pesticide application display	Employer must display pesticide application information for workers and handlers.	Employer must display pesticide application information for workers and handlers & SDS (Safety Data Sheet) and keep record of for 2 years.
Notification of treated areas under REI (restricted entry interval)	Post warning signs or give oral notification for any REI.	Post warning sign or give oral notification, if REI is greater than 48 hours.
Warning Sign		No Change.
Information exchanges between	Employer must provide application information of treated areas that the handler may be within a ¼ mile of	Employer must provide application information on treated areas that the handler may be within a ¼ mile of. Must notify handler before the application begins for



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handler employee and employer	prior to application.	certain changes and within 2 hours of end of application for most other changes.
Minimum age for handlers and early-entry workers	No Minimum age.	Handlers and early entry workers must be at least 18 years old. <i>(Members of owner's immediate family are exempt from this and most other requirements of the WPS.)</i>
Prohibited entry in areas during application	No entry into treated areas.	No entry into treated area or the application exclusion zone (0-100 foot area around the application equipment during the pesticide application.)
Pesticide handler suspend application	Handler must apply pesticides in a way to not contact workers or other persons.	Handler must apply pesticide in a way to not contact workers or other persons. Handler must suspend application if a worker or other person is in the application exclusion zone.
Display of pesticide safety information	Display a safety poster at a central location.	Display pesticide safety information at central location with decontamination supplies.
Content of pesticide safety information	The safety poster must include: <ul style="list-style-type: none">• 7 concepts about preventing pesticides from entering your body• The point that there are federal rules to protect workers and handlers• The name, address and phone number of the nearest emergency medical care facility	Information can be displayed in any format (doesn't have to be a poster) <ul style="list-style-type: none">• Keep the 7 concepts about preventing pesticides from entering your body• Delete the point that there are federal rules to protect workers and handlers• Add instructions for employees to seek medical attention as soon as possible if they were poisoned, injured or made ill by pesticides• Add name, address and telephone number of pesticide regulatory agency• Revise emergency medical facility to a nearby operating medical care facility
Respirators	Employer must provide respirator listed on label and ensure it fits. No recordkeeping required.	Employer must provide respirator and fit testing, training, and medical evaluation that conforms to OSHA standards for any handler required to wear any respirator by the label. Required recordkeeping.
Definition of chemical resistant	Made of a material that allows no measurable movement of the pesticide through the material during use.	No change.
PPE exception for closed systems	There are exceptions to the labelled required PPE for handlers using a closed system. No specific criteria for closed systems.	There are exceptions to the labelled required PPE for handlers using a closed system. A closed system must meet a standard and basic operating standards.
PPE exceptions for enclosed cabs	There are exceptions to the labelled required PPE for handlers applying from a closed system. Respirator exceptions are allowed only if the cab has been certified by the manufacturer to provide respiratory protection.	Maintain exception for dermal PPE as in existing rule. But handlers in enclosed cabs must wear the label-specified respiratory protection.
Quantity of	Provide enough water for routine	Provide 1 gallon for each worker and 3 gallons for



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water	washing and emergency eye flushing for workers and handlers. Also for handlers, provide enough to wash entire body in emergency.	each handler and each early entry worker as measured at beginning of workers' or handlers' work period. Must provide water for decontamination.
Eye wash	Provide enough water for emergency eye flushing. One pint of water in a portable container must be available to each handler if eye protection is required.	<p>Provide a system capable of delivering</p> <ul style="list-style-type: none"> • 0.4 gallons/minute for 15 minutes or • 6 gallons of water able to flow gently for about 15 minutes <p>At a mix/load site if handlers use products requiring eye protection or use a pressurized closed system.</p> <p>One pint of water in a portable container must be available to handlers applying pesticides if eye protection is required.</p>
Emergency assistance	Provide prompt transportation to medical facility and provide any obtainable information about the product, antidote, first aid, and circumstances of exposure to the worker/handler or treating medical personnel.	Provide prompt transportation to medical facility. Promptly provide the SDS, product information (name, EPA Reg No and active ingredient) and circumstances of exposure to treating medical personnel.
Exemptions for farm owners and their immediately families	<p>An owner of an agricultural establishment is exempt from providing most WPS protections to himself and members of his immediately family, who are performing tasks related to production of agricultural plants.</p> <p>The owner and immediate family exemption applies on establishments where at least a majority of the establishment is owned by immediate family members, i.e., a majority of the owners are related by one of the relationships contained in the "immediate family" definition.</p> <p>Immediate family: Expanded to include in-laws (parents, siblings, and children), grandparents, grandchildren, aunts, uncles, nieces, nephews, and first cousins. "First cousin" means the child of a parent's sibling, i.e., the child of an aunt or uncle.</p>	
Exceptions to REIs for early entry workers & notification requirements	Inform early-entry workers of hazard information from the pesticide label.	Notify early-entry workers of application specifics, tasks to be performed, conditions of the early-entry exception, and hazard information from the pesticide label.
Not included: PPE exceptions for pilots & exemptions for crop advisors.		

The majority of the revisions took effect this year, and the remaining, January 1, 2018.

For more information on these changes visit: www.epa.gov/pesticide-worker-safety.