

# Arkansas State Plant Board



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## Pesticide Division

## Worker Protection

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### Brief History of the Worker Protection Standard

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In 1974, EPA promulgated the regulations found at 40 CFR, Part 170 pursuant to its authority under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). That part, entitled "Worker Protection Standards for Agricultural Pesticides", dealt only with the pesticide-related occupational safety and health of farm workers who perform hand labor task after ground, aerial or other types of pesticide applications. Part 170 consisted of four basic requirements:

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1. A prohibition against spraying workers and other persons
2. A general reentry interval for all agricultural pesticides prohibiting reentry into treated fields until the spray had dried or the dust had settled and longer intervals for 12 specific pesticides
3. A requirement for protective clothing for any worker who had to reenter treated fields before the specific reentry period had expired
4. A requirement for "appropriate and timely" warnings.

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EPA conducted an agency review of 40 CFR, Part 170 in 1983 and concluded that the regulations were inadequate to protect agricultural workers. The review revealed concerns about enforceability and coverage and cited continuing reports of worker poisoning. EPA set up an Advisory Committee consisting of representatives of farm worker unions, health care providers, Health and Agricultural agencies, EPA and other federal agencies.

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During July and August of 1988, EPA held several public meetings, mostly in agricultural areas of the country, to explain the proposed rules, answer questions and take comments on WPS. After a careful review and analysis of the comments and data in the record, the agency revised the 40 CFR by adding Part 156 Subpart K (Labeling Requirements for Pesticides and Devices). The provisions in the revised Worker Protection Standard are directed toward the working conditions of two types of employees: those who handle agricultural pesticides (mix, load, apply, clean or repair equipment, and act as flaggers, etc.) And those who perform tasks related to the cultivation and harvesting of plants on farms, forests, nurseries and greenhouses. The final Rule was effective August 21, 1992. EPA allowed state and lead agencies to do compliance assistance from 1995 to 1998. EPA is now demanding that state lead agencies

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## Species

do more compliance enforcement of the Worker Protection Standard.

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The purpose of the EPA Worker Protection Standard is to: (1) Eliminate or reduce exposures to pesticides; (2) Mitigate exposures that occur; and (3) Inform employees about the hazard of pesticides.

This regulation covers pesticides that are used in production of agricultural plants on farms, forests, nurseries and greenhouses. The Worker Protection Standard requires one to take measures to reduce the risk of pesticide related illness and injury if one uses such pesticides or employ worker or pesticide handlers who are exposed to pesticides.

If you are an agricultural pesticide user or an employer of agricultural workers and handlers, the Worker Protection Standard requires you to provide to your employees, to yourself and others:

- Information about exposure to pesticides
- Protection against exposures to pesticides, and
- Ways to mitigate exposures to pesticides.

## Information

To ensure that employees will be informed about exposure to pesticides, the WPS requires:

- **Pesticide safety training** - for workers and handlers,
- **Pesticide safety poster** - to be displayed for workers and handlers,
- **Access to labeling information** - for pesticide handlers and early-entry workers, and
- **Access to specific information** - a centrally located Application List of pesticide treatments on the establishment.

## Protection

To ensure that employees will be protected from exposures to pesticides, the WPS requires employers to:

- **prohibit handlers from applying a pesticide in a way that will expose workers or other persons,**
- **exclude workers from areas being treated with pesticides,**
- **exclude workers from areas that remain under a restricted-entry interval (REI), with narrow exceptions,**
- **protect early-entry workers** who are doing permitted tasks in treated areas during an REI - requirements include special instructions and duties

related to correct use of personal protective equipment (PPE),

- **notify workers** about treated areas so they can avoid inadvertent exposures, and
- **protect handlers during handling tasks** -requirements include monitoring while handling highly toxic pesticides and duties related to correct use of PPE.

## Mitigation

To mitigate pesticide exposures that employees receive, the WPS requires:

- **Decontamination sites** - 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(2) to which the person may have been exposed.

Address to Worker Protection Standard:

<http://www.epa.gov/pesticides/safety/index.htm>

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## Quick Reference Guide to The 1992 Worker Protection Standard (WPS)

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### From the How to Comply Manual (pp. 4-5)

The WPS is a Federal regulation designed to protect **agricultural workers** (people involved in the production of agricultural plants) and **pesticide handlers** (people mixing, loading or applying pesticides or doing other tasks involving direct contact with pesticides) (see pp. 14-15). The guide on these two pages presents the **maximum** WPS requirements. It does not include exceptions that may permit you to do less or options that may involve different requirements. **You will be in compliance with the Federal WPS if you make sure that the requirements listed on these two pages are met.** Each section below lists pages in this manual where you can find out about exceptions and options. For more information about your responsibilities, read pp. 12-20. There are some exemptions for owners of agricultural establishments and members of their immediate family (see pp. 91-93).

### Duties for All Employers

#### Anti-Retaliation (p. 19)

Do not retaliate against a worker or handler who attempts to comply with the WPS.

#### Information at a Central Location (pp. 23-24)

1. In an easily seen central location on each agricultural establishments, display close together:
  - EPA WPS safety poster.
  - name, address, and telephone number of the nearest emergency medical facility.
  - these facts about each pesticide application [from before each application begins until 30 days after the restricted-entry interval (REI)]:
    - product name, EPA registration number, and active ingredients(s),

**Species**

- location and description of treated area,
- time and date of application, and REI,

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2. Tell workers and handlers where the information is posted, and allow them access.
3. Tell them if emergency facility information changes and update the posted information.
4. Keep the posted information legible.

**Pesticide Safety Training (pp. 25-28)**

Unless they possess a valid EPA-approved training card, train handlers and workers before they begin work and at least once each 5 years:

- use written and/or audiovisual materials,
- use EPA WPS handler training materials for training handlers,
- use EPA WPS worker training materials for training workers,
- have a certified applicator conduct the training orally and/or audiovisually in a manner the employees can understand, using easily understood terms, and response to questions.

**Decontamination Sites (pp. 29-31)**

1. Establish a decontamination site within 1/4 mile of all workers and handlers. Supply:
  - enough water for routine and emergency whole-body washing and for eyeflushing,
  - plenty of soap and single-use towels,
  - a clean coverall.
2. Provide water that is safe and cool enough for washing, for eyeflushing, and for drinking. Do not use tank-stored water that is also used for mixing pesticides.
3. Provide handlers the same supplies where personal protective equipment (PPE) is removed at the end of a task.
4. Provide the same supplies at each mixing and loading site.
5. Make at least 1 pint eyeflush water immediately accessible to each handler.

6. Do not put worker decontamination sites in areas being treated or under an REI.
7. In areas being treated put decontamination supplies for handlers in enclosed containers.

### **Employer Information Exchange (pp. 33-34)**

1. Before any application, commercial handler employers must make sure the operator of the agricultural establishment where a pesticide will be applied is aware of:
  - location and description of area to be treated,
  - time and date of application,
  - product name, EPA registration number, active ingredient (s), and REI,
  - whether the product label requires both oral warnings and treated area posting,
  - all other safety requirements on labeling for workers or other people.
2. Operators of agricultural establishments must make sure any commercial pesticide establishment operator they hire is aware of:
  - specific location and description of all areas on the agricultural establishment where pesticides will be applied or where an REI will be in effect while the commercial handler is on the establishment.
  - restrictions on entering those areas.

### **Emergency Assistance (pp. 35-36)**

When any handler or worker may have been poisoned or injured by pesticides:

1. Promptly make transportation available to an appropriate medical facility.
2. Promptly provide to the victim and to medical personnel:
  - product name, EPA registration number, and active ingredient(s).
  - all first aid and medical information from label,
  - description of how the pesticide was used,

- information about victim's exposure.

## **Additional Duties For Handler Employers**

### **Application Restrictions and Monitoring (pp.73-74)**

3. Do not allow handlers to apply a pesticide so that it contacts directly or through drift, anyone other than trained and PPE-Equipped handlers.
4. Make sight or voice contact at least every 2 hours with anyone handling pesticides labeled with a skull and crossbones.
5. Make sure a trained handler equipped with labeling-specified PPE maintains constant voice of visual contact with any handler in a greenhouse who is doing fumigant-related tasks, such as application or air-level monitoring.

### **Specific Instructions for Handlers (pp.75-76)**

1. Before handlers do any handling tasks, inform them, in a manner they can understand, of all pesticide labeling instructions for safe use.
2. Keep pesticide labeling accessible to each handler during entire handling task.
3. Before handlers use any assigned handling equipment, tell them how to use it safely.
4. When commercial handlers will be on an agricultural establishment, inform them beforehand of:
  - areas on the establishment where pesticides will be applied or where an REI will be in effect,
  - restrictions on entering those areas,

(The agricultural establishment operator must give you these facts.)

### **Equipment Safety (p.77)**

1. Inspect pesticide handling equipment before each use, and repair or replace as needed.
2. Allow only appropriately trained and equipped handlers to repair, clean, or adjust pesticide equipment that contains pesticides or residues.

### **Personal Protective Equipment (PPE) (pp.79-83)**

(See exceptions to PPE) (pp.85-87)

**Duties Related to PPE:**

1. Provide handlers with the PPE the pesticide labeling requires for the task, and be sure it is:
  - clean and in operating condition,
  - worn and used correctly,
  - inspected before each day of use,
  - repaired or replaced as needed.
2. Be sure respirators fit correctly.
3. Take steps to avoid heat illness.
4. Provide handlers a pesticide-free area for:
  - storing personal clothing not in use,
  - putting on PPE at start of task,
  - taking off PPE at end of task.
5. Do not allow used PPE to be worn home or taken home.

**Care of PPE:**

1. Store and wash used PPE separately from other clothing and laundry.
2. If PPE will be reused, clean it before each day of reuse, according to the instructions from the PPE manufacturer unless the pesticide labeling specifies other requirements. If there are no other instructions, wash in detergent and hot water.
3. Dry the clean PPE before sorting, or hang to dry.
4. Store clean PPE away from other clothing and away from pesticide areas.

**Replacing Respirators Purifying Elements:**

1. Replace dust/mist filters:
  - when breathing becomes difficult,
  - when filter is damaged or torn,

- when respirator label or pesticide label requires (whichever is shorter), **OR**
  - at the end of the day's work period, in the absence of any other instructions or indications.
2. Replace vapor-removing cartridges/canisters:
- when odor/taste/irritation is noticed,
  - when respirator label or pesticide label requires (whichever is shorter), **OR**
  - at the end of the day's work period, in the absence of any other instructions or indications.

### **Disposal of PPE:**

1. Discard coveralls and other absorbent materials that are heavily contaminated with undiluted pesticide having a DANGER or WARNING signal word.
2. Follow Federal, State, and local laws when disposing of PPE that cannot be cleaned correctly.

### **Instructions for People Who Clean PPE:**

1. Inform people who clean or launder PPE:
  - that PPE may be contaminated with pesticides,
  - of the potentially harmful effects of exposure to pesticides,
  - how to protect themselves when handling PPE,
  - how to clean PPE correctly,

### **Restrictions During Application (p.45)**

1. In areas being treated with pesticides, allow entry only to appropriately trained and equipped handlers.
2. Keep nursery workers at least 100 feet away from nursery areas being treated.
3. Allow only handlers to be in a greenhouse:
  - during a pesticide application,
  - until labeling-listed air concentration level is met or, if no

such level, until after 2 hours of ventilation with fans.

(Also see nursery restrictions and greenhouse restrictions) (pp.51-52, 53-55)

### **Restricted-Entry Intervals (REI's)(pp.45-46)**

During any REI, do not allow workers to enter a treated area and contact anything treated with the pesticide to which the REI applies.

(Also see early entry by workers)(pp.46-47, 59-70)

### **Notice About Applications (pp.41-44)**

1. Orally warn workers and post treated areas if the pesticide labeling requires.
2. Otherwise, **either** orally warn workers or post entrances to treated areas. Tell workers which method is in effect.
3. Post all greenhouse applications.

### **Posted Warning Signs:**

1. Post legible 14"X16" WPS-design signs just before application; keep posted during REI; remove before workers enter and within 3 days after the end of the REI.
2. Post signs so they can be seen at all entrances to treated areas, including entrances form labor camps.

### **Oral Warnings:**

1. Before each application, tell workers who are on the establishment (in a manner they can understand):
  - location and description of treated area,
  - REI, and not to enter during REI.
2. Workers who enter the establishment after application starts must receive the same warning at the start of their work period.

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