

WPS Regulations Reviewed At Chester Crops Day

Pesticide Labels May Contain Worker Protection Regulations

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GUTHRIESVILLE (Chester Co.) — Applicators beware: pesticide labels are being rewritten with intent to place some aspects of the Environmental Protection Agency (EPA) Worker Protection Standard (WPS) in them. Those regulations, such as wearing protective clothing and imposing restricted re-entry times, could affect your operation in a big way.

Now is the time to fully read and understand WPS regulations because they may soon be made legal and enforceable, according to Kerry Hoffman, Penn State pesticide education coordinator.

Hoffman spoke to about 125 industry representatives — including private and commercial applicators — on Monday morning at the Chester County Crops Day.

According to Hoffman, many of the regulations exempt private applicators and their immediate family (that includes brothers, sisters, mothers, fathers, children, even foster children and foster parents) — except in-laws. The Environmental Protection Agency, under whose auspices the WPS regulations are written, "felt inherently that you have provided those kinds of things for your family and you would take care of your family," according to Hoffman.

But if you employ workers to dispense pesticides, and your business commercially provides pesticide applications, take heed. Soon — unless commodity groups and other organizations can make necessary changes to the law — the WPS could become enforceable.

For private applicators, if cited, the fine is \$1,000 per incident. For commercial applicators, fines are \$5,000 per incident, according to Hoffman.

The bottom line, according to the pesticide education coordinator, is worker protection.

"This is a law that forces you to do what you have been doing for a lot of years — protecting yourself and the people that work for you from the potential to be exposed to pesticide residues in fields," she said.

Hoffman reviewed a checklist of WPS requirements for agriculture workers as defined by EPA. The following rules may soon apply:

- Information at a central location. The information would include a poster (available through your extension office) about the dangers of being in a treated area. Also, the poster would include the location of emergency treatment facilities. This central location also needs to have an identification of any pesticide applications made, when, and in what areas. The central location can be an office, coffee room, time clock area — anywhere there is free and easy access by your employees.

- Training for workers. The training is contained in the EPA booklet, "The Worker Protection Standard For Ag Pesticides — How To Comply." The book is available from most cooperative extension offices. Workers are required to fully read and understand what is described in the book in order to meet this aspect of the requirements. The 42-page book is written in Spanish and English. Also, a videotape is available on a loan basis from cooperative extension offices.

- Decontamination sites. If any

worker is exposed to a pesticide, make sure it is taken care of right away, according to Hoffman. This means that a wash-down site must be located within 1/4 mile of the application site and must be equipped with soap, water, and single-use paper towels. The EPA guidelines spell out one gallon of water per worker and three gallons of water per handler.

- Emergency assistance. If there is an exposure, the employer must make sure the workers get treatment for the exposure, said Hoffman. How to obtain that assistance must be spelled out in the poster at the information at central location.

Hoffman said the first four rules apply to private and commercial applicators. The exemptions to the above four rules: immediate family, as defined above, *excluding in-laws*.

The following regulations apply to private and commercial applicators and their families:

- Restrictions during applications. If using a labeled "skull and crossbones" pesticide, voice contact must be maintained with the applicator at two-hour intervals. Also, protective clothing, including boots, gloves, and coveralls, must be worn according to label requirements.

- Special application restrictions in nurseries. EPA regulations are complex, depending on type of operation. Consult the book for details.

- Special application restrictions in greenhouses. Again, another EPA regulation specifically for greenhouse operators, with an array of requirements. Consult book for details.

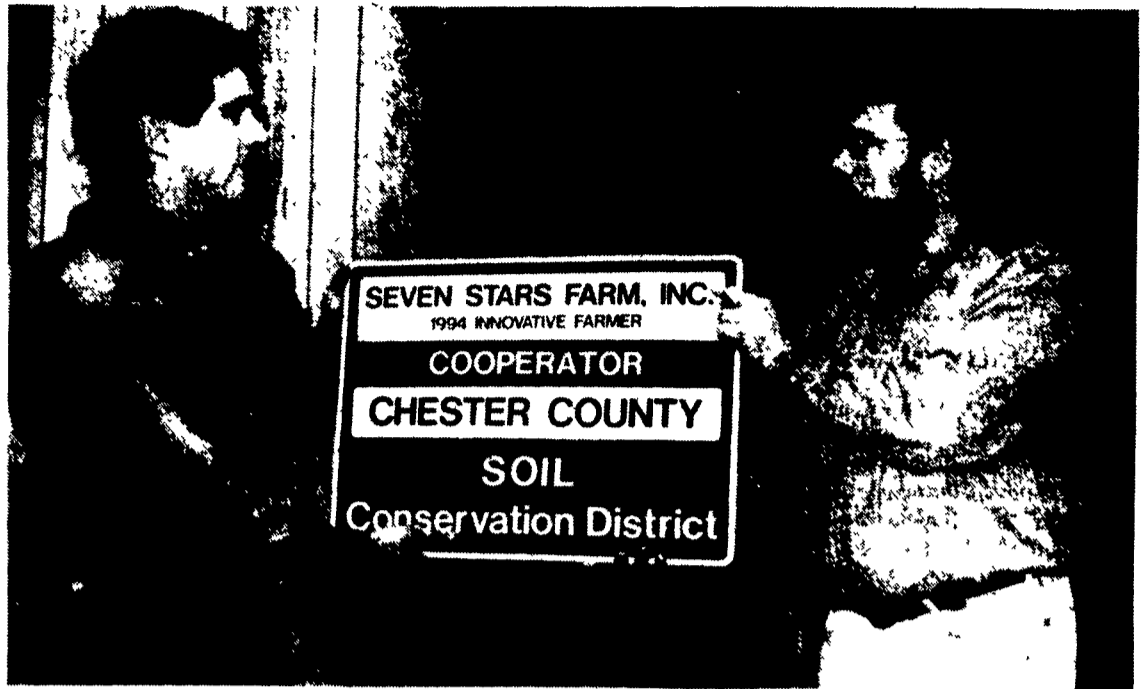
The following regulation "is really the most difficult part of this regulation to understand and to communicate. In reality, the hardest part with this regulation is what's called *restricted entry intervals* (described here)," said Hoffman.

"With every chemical now," she said, "it is no longer OK to say, oh, you can go back in that field when the sprayers have dried or the dust is settled. That doesn't get it anymore. You cannot use that as criteria to judge when you're allowed to go back in a treated area."

- Restrictions during restricted-entry intervals (and limitations on early entry). As the regulation stands now, according to Hoffman, 12 hours is the minimum restricted entry interval for all chemicals. This depends on the label. Now more than ever before it's important to read the label, according to Hoffman.

- Notice about applications (oral warnings and treated area posting). Employers can orally instruct workers about what areas that pesticides have been applied. But, according to EPA regulations, a sign must be posted that clearly indicates "keep out." This warning sign is available through cooperative extension offices.

As a result of these WPS regulations, labels continue to change dramatically. Commodity organizations and farm bureaus are mounting drives to petition EPA to have the regulations altered, specifically the re-entry times, to conform more realistically to farm operations. Hoffman said that two weeks ago, 39 national commodity organizations joined to petition for another delay in the enforcement of the WPS.



The 1994 Innovative Farmer of the Year Award went to Seven Stars Farm, Inc., Kimberton, operated by David Griffith, left. At right is district manager, Dan Greig.



At the banquet, the county conservation district honored DH Lone Hill Farm, Honey Brook, as 1994 Conservation Farmer of the Year, operated by David Horning, right. At left is Dan Greig, Chester County Conservation District manager.

"If you feel strongly about parts of this regulation that need to be changed, now is the time to speak," said Hoffman.

She said that the theory behind the regulations is good, "but the practicality needs a little work."

But for many businesses, it is better to make efforts to try to conform to WPS regulations to protect the health of the workers and vitality of the business in the long run. "It's better to err on the side of caution than to not do it at all," she said.

"I truly believe that we in Pennsylvania have really tried very hard to be progressive and to get this information out to you and to listen to your comments and to try and make this regulation work in every industry that it's been meant to address. It's hard to take a regulation and make it work for dairy farmers and flower growers all at the same time. But basically that's what they're doing. . . ."

"I think that, for the most part, you are already doing the things you need to do to protect the people that you have out there from exposures," she said.

Also at the Crops Day, Alan Strock, Chester County farm management agent, reviewed some of the changes made to basic government programs and how they will affect farming.

One agency, the former USDA ASCS, is now the consolidated USDA Farm Service Agency

(FSA). The SCS is now called the Natural Resources Conservation Service, or NRCS.

One thing that has become important to securing government assistance, particularly in times of disaster, is the new catastrophic coverage (CAT), the new federal crop insurance program, that is available from the USDA FSA. The annual fee is \$50 per crop per county, not to exceed \$200 per county or \$600 per producer.

To qualify for other programs, according to Strock, farmers must purchase CAT. Applications must be made by March 15 for all crops. Additional coverage is available.

For other programs, of which Strock described, it is important that farmers "stay informed and stay in contact with local offices," he said.

Also at the Crops Day, Lynn Hoffman, Penn State agronomy extension specialist, provided information on new herbicides and spoke about conservation tillage. Dennis Calvin, Penn State entomology extension specialist, provided information on effective integrated pest management (IPM) programs available to farmers right now. He also provided an insect management update.

At the banquet, the county conservation district honored DH Lone Hill Farm, Honey Brook, as 1994 Conservation Farmer of the Year. Operated by David Horning, DH Lone Hill Farm milks about 70

cows and farms 133 acres. The crop rotation is two-year corn with a rye cover crop and a three- to four-year alfalfa stand. The farm follows a nutrient management and conservation plan that consists of conservation cropping, contour farming, contour stripcropping, cover cropping, manure storage, and pasture management.

The 1994 Innovative Farmer of the Year Award went to Seven Stars Farm, Inc., Kimberton, operated by David Griffith. Seven Stars Farm milks about 65 cows and farms 282 acres. The crop rotation is one-year corn, one-year soybean, one-year small grain, and a four-year alfalfa stand. The farm follows a nutrient management and conservation plan that consists of conservation cropping, contour farming, crop residue use, composting pad, conservation tillage, cover cropping, waste storage pond, pasture management, waterways, and wildlife management.

According to the district, the farm recently installed a composting pad with a waste storage pond to better utilize manure. The farm uses leaves and manure to make compost in order to retain the nutrients for later use in field application. All runoff water is collected in the waste storage pond and reapplied to either the compost or an adjacent field. Griffith also uses municipal leaves in his composting operation, according to the district.