



Ohio Pesticide Safety Education Program

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## **In this Issue:**

EPA Revises the Worker Protection Standard (WPS)

EPA Proposes Changes to the Certification and Training of Pesticide Applicators

California Proposes Classifying Glyphosate as Cancer Causing Agent

Upcoming Events

## **EPA Revises the Worker Protection Standard (WPS)**

*By Mary Ann Rose*

WPS was first released in 1992 and protects agricultural workers and pesticide handlers at farms, forests, nurseries and greenhouses. A revised rule was signed on September 28 by Environmental Protection Agency (EPA) administrator Barbara McCarthy. This 2015 revision is a comprehensive overhaul of the existing rule and the result of extensive stakeholder input over the past 10 years. The revised rule is expected to significantly reduce pesticide exposure incidents, and is intended to give farm workers a level of protection from pesticides that is directly comparable to industrial worker protection afforded by the Occupational Safety and Health Administration (OSHA) hazardous chemical regulations. The new rule will be published in the federal register later this fall and will take effect 60 days later.

The changes are comprehensive. Pesticide handlers and early-entry workers now must be 18 years of age or older. Training content has been expanded to include new material. The grace period for new employees is eliminated, and workers must now receive training before they enter an area that has been treated with a pesticide with WPS labeling in the last 30 days. Agricultural workers must receive annual training instead of every five years, and a record of training must be kept. Being a pesticide handler no longer qualifies an individual to train workers; worker trainers must be certified applicators, EPA/Federal/Tribal approved applicators, or have completed an EPA-approved train-the-trainer course.

There are new mandatory posting requirements if the pesticide restricted entry interval (REI) exceeds 48 hours for outside applications, or four hours for applications in enclosed spaces. Previously, only greenhouses were required to post signs at treated areas and other growers could choose between oral warnings or posting signs. Also, worker exclusion zones of up to 100 feet away from the application area

may be required depending on the type of application; previously, exclusion zones only applied in greenhouses and nurseries. Required amounts of decontamination supplies per worker or handler are now specified. When respirator use is required by the labeling, training, medical evaluation, fit testing, and record-keeping will be required (same as the OSHA requirement).

Safety Data Sheets (SDS) now must be posted with pesticide application information at the central display location, and the specific pesticide application information must be retained for two years after the REI expires. The pesticide application records are to be made available to workers, handlers, designated representatives, or medical personnel upon request.

The farm owner exemption has been expanded to include all in-laws, grandparents, grandchildren, aunts, uncles, nieces, nephews, and first cousins.

The EPA's draft compliance schedule indicates that most changes will be required a year after the rule's effective date; the annual training with updated content will be required after two years. The "How to Comply" manual, which is a key reference for owners and managers, is projected to be available next spring; the worker training materials (videos, manuals, workbooks, PowerPoints) are not expected to be available until mid-2017. For more information on the 2015 revisions to WPS, see the EPA website [www2.epa.gov/pesticide-worker-safety/revisions-worker-protection-standard](http://www2.epa.gov/pesticide-worker-safety/revisions-worker-protection-standard)

### **EPA Proposes Changes to the Certification and Training of Pesticide Applicators**

*By Mary Ann Rose*

The Environmental Protection Agency (EPA) has proposed a minimum age (18) and stricter standards for certifying applicators of restricted use pesticides (RUPs). For commercial applicators in Ohio, there is no distinction between RUP and non-RUP users, hence these new proposals potentially affect the certification and recertification of all licensed commercial pesticide applicators in Ohio whether or not they actually use restricted use pesticides. Private applicators are only required to be licensed in Ohio if they use RUPs.

Much of what is proposed for the stricter federal standard is already required by Ohio Law; for example, Ohio pesticide applicators already take closed book exams, must recertify on a three-year schedule, and keep pesticide records. The proposed changes would however significantly increase the recertification requirements for Ohio pesticide applicators. The EPA has proposed that all applicators will be required to take six units (50 minutes) of core plus three (private) or six (commercial) units per category every three years. An Ohio commercial applicator licensed in one category who is now required to take five hours of recertification would have to attend twelve 50-minute sessions every three years. An Ohio private applicator licensed in one category who now needs three hours of training to recertify would have to attend nine 50-minute sessions every three years. Applicators would be required to present identification at exams and recertification programs. For private applicators, the fumigation category would be split into soil and non-soil fumigation categories. There also would be an annual training requirement and minimum age of 18 for trained servicepersons, who under current Ohio law only require a single, verified training prior to occupational exposure to pesticides.

The public may comment on the EPA's proposal through November 23, 2016; there have been formal requests for an extension to the deadline. Comments may be submitted to the EPA at [www.regulations.gov](http://www.regulations.gov) in docket number [EPA-HQ-OPP-2011-0183](https://www.regulations.gov/docket/EPA-HQ-OPP-2011-0183). Learn more about the proposal and certification for pesticide applicators: [www2.epa.gov/pesticide-worker-safety/epa-proposes-stronger-standards-people-applying-riskiest-pesticides](http://www2.epa.gov/pesticide-worker-safety/epa-proposes-stronger-standards-people-applying-riskiest-pesticides)

## California Proposes Classifying Glyphosate as Cancer Causing Agent

By Mary Ann Rose

California Office of Environmental Protection issued a notice of intent in September to classify glyphosate as a cancer causing agent. This followed a World Health Organization's Agency for Research on Cancer (IARC) decision in March to classify glyphosate as 'probably' carcinogenic to humans. The move by the CA EPA will require a warning with the product, but will not affect use or sales in that state. It is the first regulatory organization in the U.S. to issue a warning against this active ingredient that is one of the most widely used pesticides in the world.

Glyphosate has been considered a low-risk herbicide. In the Agricultural Health Study (AHS) which included more than 57,000 licensed pesticide applicators in Iowa and North Carolina, glyphosate was not associated with cancer incidence overall, but there was a suggested association with multiple myeloma incidence and recommendations for further examination. In a subsequent published reanalysis of the AHS data, no convincing evidence of the link between glyphosate and multiple myeloma was found. The IARC decision weighed heavily on relatively few experimental animal studies; one possible interpretation of the IARC data is that glyphosate *could* cause cancer at some level of exposure, but whether it *does* cause cancer at real-world exposure levels remains uncertain. Clearly there is dissent about glyphosate in the scientific community, and the topic will likely continue to be in the news.

### Upcoming Events

More information about the following events is at: <http://pested.osu.edu>

#### Ohio Commercial Pesticide Applicator Recertification Conferences

January 28, 2016 (Thursday) – Sandusky, Kalahari Convention Center  
 February 3, 2016 (Wednesday) – Akron, John S. Knight Center  
 February 17, 2016 (Wednesday) – Dayton Convention Center  
 March 1, 2016 (Tuesday) – Columbus Convention Center

#### Pesticide Safety Training – Commercial New Applicators & Trained Servicepersons

February 23, 2016 (Tuesday) – General Pest, Category 10A Training  
 February 24, 2016 (Wednesday)  
 March 23, 2016 (Wednesday)  
 April 20, 2016 (Wednesday)  
 May 25, 2016 (Wednesday)  
 August 24, 2016 (Wednesday)  
 September 28, 2016 (Wednesday)  
 Core and Trained Serviceperson trainings are held in the morning, and Categories 8, 5, 2c, and 6c in the afternoon. Visit [pested.osu.edu](http://pested.osu.edu) for more details.  
 Taught at the Ohio Department of Agriculture, Reynoldsburg, Ohio

#### Wood Destroying Insect Inspection Training

November 2, 2015 (Monday)  
 March 10, 2016 (Thursday)  
 Mandatory training required for applicators becoming licensed in commercial category 12.  
 Recertification credit is available.  
 Taught at the Ohio Department of Agriculture, Reynoldsburg, Ohio

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