



## WORKER PROTECTION STANDARD (WPS)

Wis. Admin. Code ATCP 29.51(5) and 29.61 and 40 CFR Part 170

The Environmental Protection Agency (EPA) revised the WPS. The new requirements are being phased in during 2017 and 2018.

### What pesticides are covered by WPS?

Pesticide labels with an "Agricultural Use Requirements" statement are covered by the WPS. Specific label language will indicate the precautions relevant to agricultural workers and handlers. The WPS does not cover pesticides applied on pastures, rangeland, or livestock.

#### AGRICULTURAL USE REQUIREMENTS

Use this product only in accordance with its labeling and with the Worker Protection Standard, 40 CFR part 170. This Standard contains requirements for the protection of agricultural workers on farms, forests, nurseries, and greenhouses, and handlers of agricultural pesticides. It contains requirements for training, decontamination, notification, and emergency assistance. It also contains specific instructions and exceptions pertaining to the statements on this label about personal protective equipment (PPE) and restricted-entry interval. The requirements in this box only apply to uses of this product that are covered by the Worker Protection Standard.

**Do not enter or allow worker entry into treated areas during the restricted entry interval (REI) of 12 hours.**

### Do I need to comply with the WPS?

Yes, a commercial pesticide handling establishment (custom applicators or their employers) that uses pesticides in the production of agricultural plants on a farm, forest, nursery, or greenhouse, and is doing any of the following tasks:

- Mixing, loading, transferring, or applying pesticides, handling opened containers of pesticides
- Acting as a flagger
- Cleaning, handling, adjusting, or repairing the parts of mixing, loading, or application equipment that may contain pesticide residues
- Assisting with the application of pesticides
- Adjusting or removing coverings, such as tarps, used in fumigation, or check air concentration levels, entering a treated area outdoors after application of any soil fumigant to adjust or remove soil coverings, such as tarpaulins
- Performing tasks as a crop advisor during pesticide applications, and before any inhalation exposure level or ventilation criteria listed in the labeling has been reached or one of the WPS ventilation criteria has been met during any restricted-entry interval
- Disposing of pesticides or pesticide containers.

### What provisions of the WPS do I need to comply with?

**Notice of applications to agricultural employers.** Commercial pesticide handling establishments must make sure that their customer - the operator of the farm, forest, nursery, or greenhouse - knows certain information about the pesticide before it is applied on the establishment. Customers must have this information to protect their employees as required by the WPS. State and federal law require that WPS information be provided to the agricultural producer prior to making the pesticide application. Information may be provided in writing or orally. If the pesticide is not applied as scheduled, the customer must be informed of the corrected time and date of the application by making the correction before the application takes place or as soon as practicable thereafter. Commercial pesticide handling establishments must provide farm establishments or growers the following information so they can provide it to the workers and handlers on their establishment:

1. Specific location and description of the area to be treated.
2. Time and date the application is scheduled.
3. Pesticide product name, EPA registration number and active ingredient.
4. Restricted entry interval (REI).
5. Whether the pesticide label requires both oral notification and posting.
6. Other label specific requirements for protecting workers and others such as personal protective equipment (PPE) needed for early entry workers or for crop advisors who may be scouting an area under REI.

A custom applicator can request WPS information from growers they contract pesticide applications with. The grower must provide relevant precautions for entering pesticide treated areas on their operation.

**Decontamination supplies.** Commercial pesticide handling establishment employers (Employers) must provide supplies so that their handlers can wash pesticides and residues from their hands and bodies. Accessible decontamination supplies located within a quarter mile of all handlers shall include:

- Enough water for routine and emergency whole-body washing and eye flushing (about 3 gallons for each handler) Emergency eye flush water must be immediately available if the pesticide label calls for protective eyewear.
- Soap in sufficient quantity to meet the handlers' needs
- Single-use towels in sufficient quantity to meet the handlers' needs
- A clean change of coveralls for use by each handler

Employers must provide water that is safe and cool enough for washing, eye flushing, and drinking. Tank-stored water that also is used for mixing or diluting pesticides cannot be used for washing.

Employers must provide handlers with the previously mentioned supplies at each mixing site and at the place where protective equipment is removed at the end of a task. Worker decontamination supplies must not be located in areas being treated or under an REI. Supplies for handler decontamination may be in the treated area in which the handler is working, as long as the materials are stored in sealed containers.

### **Knowledge of labeling and site-specific information.**

**Equipment safety.** Equipment used for mixing, loading, transferring, or applying pesticides must be inspected and repaired or replaced as needed. Only appropriately trained and equipped handlers may repair, clean, or adjust pesticide-handling equipment that contains pesticides or pesticide residues.

**Personal protective equipment (PPE).** Employers must provide handlers with the PPE required by the pesticide labeling for each task. Handlers must also be provided with a pesticide-free work area for storing personal clothing, as well as for changing into and out of PPE for each task. Employers must make sure PPE is worn and used correctly, and make sure respirators fit correctly, and that handlers do not wear or take home used PPE.

**Employers must take steps to prevent heat illness.** Train handlers to recognize, prevent, and treat heat illness, especially while PPE is being worn.

**PPE cleaning and maintenance.** Employers must make sure that PPE:

- To be reused is cleaned, inspected, and repaired before each use or replaced as needed;
- That is not reusable or cannot be cleaned is disposed of properly; and
- Should be washed, hung to dry, and stored separately from personal clothing and away from pesticide areas.

**Replacing respirator purifying elements.** Employers must replace dust/mist filters when breathing becomes difficult, if the filter is damaged or torn, when the respirator label or pesticide label requires it, or at the end of each day's work period in the absence of any other instructions. Cartridges or canisters designed to remove vapors must be replaced when odor, taste, or irritation is noticed; when the respirator label or pesticide label requires it; or at the end of each day's work period in the absence of any other instructions.

**Disposal of PPE.** Employers must discard coveralls and other clothing that are heavily contaminated with an undiluted pesticide having a DANGER or WARNING signal word, according to directions on the pesticide label. Federal, state, and local laws must be followed when disposing of PPE that cannot be cleaned correctly.

For additional information about WPS contact the department at (608) 224-4545 or visit the EPA website at <https://www.epa.gov/pesticide-worker-safety/agricultural-worker-protection-standard-wps>