

March 31, 2018

The Honorable Scott Pruitt
Administrator
U.S. Environmental Protection Agency
William Jefferson Clinton Building
1200 Pennsylvania Ave., NW
Washington, DC 20460

Dear Administrator Pruitt:

The undersigned organizations write to oppose any changes by the Environmental Protection Agency (“EPA”) to the requirements in the Agricultural Worker Protection Standard (“WPS”) and Certification of Pesticide Applicators rule (CPA).¹

Over 15 years ago, an EPA report stated that “pesticide poisoning in the United States remains under-recognized and under-treated...despite the ubiquity of pesticides in our homes, workplaces, and communities, and despite the considerable potential for pesticide-related illnesses and injury.”² Farmworkers have one of the highest rates of chemical exposures among U.S. workers and they suffer acute pesticide poisoning every year through occupational exposures and pesticide drift. Studies have shown that agricultural workers suffer serious short- and long-term health effects from exposure to pesticides. The WPS and CPA rules provide vital protections from exposure to toxic pesticides for hired farmworkers, pesticide applicators, their families and the general public in communities across the United States. In revising these rules, the EPA recognized that the weight of evidence suggests that the new requirements, “will result in long-term health benefits to agricultural workers, pesticide handlers,”³ and “to certified and noncertified applicators, as well as to the public and the environment.”⁴

After more than a decade of stakeholder input and analysis, the EPA revised the WPS and CPA rule to prevent injury and illness to the children, women and men who work around pesticides in agriculture, or who come into contact with pesticides in other settings. EPA found that the new safeguards are necessary to address the known dangers associated with pesticide use. The WPS applies to hired workers and pesticide handlers who labor in farms, fields, nurseries, greenhouses and forests. The CPA rule governs the training and certification requirements of workers who apply Restricted Use Pesticides (“RUPs”) in a variety of settings, including homes, schools, hospitals, as well as agricultural and industrial establishments. RUPs are some of the most toxic and dangerous pesticides on the market.

We are concerned that the EPA may weaken critical safeguards meant to protect agricultural workers, the public, and the environment. Among the many important provisions in the rules, the Agency has stated its intent to reconsider the minimum age protections that prohibit children from applying pesticides, the right of farmworkers to access pesticide application information

¹ 82 Fed. Reg. 60, 195 (Dec. 19, 2017); 82 Fed. Reg. 60,576 (Dec. 21, 2017).

² National Pesticide Practice Skills Guidelines for Medical and Nursing Practice (January 2003). Available at <https://nepis.epa.gov/Exe/ZyPDF.cgi/2000JJGY.PDF?Dockey=2000JJGY.PDF>

³ 80 Fed. Reg. 67,499 (Nov. 2, 2015)

⁴ 82 Fed. Reg. 957 (Jan. 4, 2017)

through a designated representative, and protections for bystanders through “application exclusion zones,” which require that an applicator suspend pesticide application if “an unprotected/non-trained person” enters the area around the application equipment.

Undermining these important protections cannot be justified. We urge you to preserve the existing protections and to move forward with full implementation and enforcement.

Respectfully,

Farmworker Justice

Advocates for Basic Legal Equality, Inc.

Alabama Association of Cooperatives

Alianza Nacional de Campesinas / National Farmworker Women Alliance

American Federation of Government Employees (AFL-CIO)

American Federation of Government Employees Local 3354

American Federation of Labor–Congress of Industrial Organizations (AFL-CIO)

Association of Farmworker Opportunity Programs

Azul

Beyond Pesticides

Beyond Toxics

Black Farmers & Agriculturalists Association

Black Mesa Water Coalition

Californians for Pesticide Reform

Calvario City Church

Cardinal Student/Farmworker Alliance

CATA - The Farmworker Support Committee

Central California Environmental Justice Network

Central Florida BREAD

Central Florida Jobs with Justice

Centro Campesino

Centro de los Derechos del Migrante, Inc.

Child Labor Coalition

Citizens Sustainability League of ND

Climate Justice Alliance

Coalition Advocating for Pesticide Safety

Columbia Legal Services

Coming Clean

Community Farm Alliance

CRLA Foundation

Earthjustice

El Pueblo, Inc.

Fair World Project

Fairtrade America

Family Farm Defenders

Farms Not Arms

Farmworker Association of Florida

Farmworker's Self-Help

First Unitarian Church of Orlando

Florida Abolitionist
Florida Center for Fiscal and Economic Policy
Florida Immigrant Coalition
Florida Legal Services, Inc.
Florida Organic Growers
Food Chain Workers Alliance
Friends of Broward Detainees
Friends of Miami-Dade Detainees
Friends of the Earth
Grassroots Global Justice Alliance
Green America
Greene County Democrat
GreenLatinos
GreenRoots
Healthy Building Network
Hispanic Federation
Hispanic National Bar Association
Human Rights Watch
Interfaith Movement for Immigrant Justice
Interfaith Worker Justice
International Labor Rights Forum
Johns Hopkins Center for a Livable Future
Justice in Motion
Labor Council for Latin American Advancement
LatinoJustice PRLDEF
Legal Aid Justice Center, Virginia
LiveWell Colorado
Lomakatsi Restoration Project
Los Jardines Institute
MANA, A National Latina Organization
Media Voices for Children
Migrant Clinicians Network
Migrant Legal Action Program
Mississippi Workers' Center for Human Rights
Nanas, Papas and Friends
National Consumers League
National COSH
National Employment Law Project
National Family Farm Coalition
National Farm Worker Ministry
National Farmworker Alliance
National Latina/o Psychological Association
National Latino Evangelical Coalition
National Latino Farmers & Ranchers Trade Association
National Migrant and Seasonal Headstart Association
New Jersey Coalition for Climate Justice
New Mexico Center on Law and Poverty
Nontoxic Certified

North Carolina Justice Center
Northeastern Environmental Justice Research Collaborative
Northwest Atlantic Marine Alliance
Northwest Center for Alternatives to Pesticides (NCAP)
Northwest Forest Worker Center
Northwest Workers' Justice Project
Oregon Interfaith Movement for Immigrant Justice
Organización en California de Lideres Campesinas, Inc.
Organize Florida
Park Lake Presbyterian Church
PCUN-Pineros y Campesinos Unidos del Noroeste
Peace Roots Alliance
Pesticide Action Network
PLBA Housing Development Corporation
Portland Jobs With Justice
Progressive Caucus Center
Public Citizen
Public Justice
QLatinx
Rural & Migrant Ministry
Rural Advancement Fund of the National Sharecroppers, Inc
Rural Coalition/Coalición Rural
SER Jobs for Progress National Inc.
Soul Fire Farm Institute
South Florida Interfaith Worker Justice
St. Luke's United Methodist Church, Orlando
The Common Market
UFW Foundation
Unite Oregon
United Farm Workers
United Migrant Opportunity Services/UMOS Inc.
University Lutheran Chapel of Berkeley
Voces
Voto Latino
Warehouse Worker Resource Center
WeCount!
Winrock International
Worker Justice Center of New York, Inc.
Workers' Center of Central New York

cc: Ryan Jackson, Chief of Staff, Office of the Administrator
Charlotte Bertrand, Acting Principal Deputy Assistant Administrator, Office of Chemical
Safety and Pollution Prevention
Rick Keigwin, Director, Office of Pesticide Programs
Kevin Keaney, Branch Chief, Field and External Affairs Division, Office of Pesticide
Programs