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**Court Strikes Down Pruitt/EPA Refusal to Implement Pesticide Safety Protections**

In a major win for farmworker and health groups, the U.S. District Court for the Northern District of California ruled Wednesday, March 21, 2018 that the Environmental Protection Agency (EPA) and Administrator Scott Pruitt illegally delayed implementation of key pesticide safety rules regarding “restricted-use pesticides” (RUP’s) – the most toxic class of pesticides -- applied by certified pesticide applicators.

Virginia Ruiz of FJ is co-counsel with Earthjustice attorneys. The lawsuit was filed on behalf of the Farmworker Association of Florida, United Farm Workers, Pinos y Campesinos Unidos del Noroeste (PCUN), California Rural Legal Assistance Foundation and Pesticide Action Network North America. The case is PCUN v. Pruitt, 17-cv-03434.

The revision by the Obama Administration of the Certification of Pesticide Applicators (CPA) Rule prevents minors from applying restricted-use pesticides and also improves the quality of training materials, and says certified pesticide applicators must be able to read and write. The main purpose of the CPA rule is to protect workers and the public from poisonings, by ensuring that those who handle the most dangerous pesticides are properly trained and certified.

After years of reviews, EPA published the revised CPA Rule in the last days of the Obama Administration.

But the then-incoming Trump Administration quickly delayed the rule, as it placed a mandatory freeze on all regulations coming out of federal agencies. The move prompted health-promotion and farmworker organizations represented by Earthjustice and Farmworker Justice to file suit.

The federal judge, Jeffrey S. White, agreed that there was no valid justification for delaying common sense measures to prevent pesticide poisonings and deaths and that the agency and Pruitt violated the federal Administrative Procedure Act, which concerns federal regulatory actions, including by failing to engage in notice-and-comment rulemaking.

The court declared the original March 6, 2017 effective date of the CPA rule as the effective date, making its ruling effective immediately. The ruling comes three months after the EPA said it wants to revise crucial parts of the CPA rule (to weaken it) It's still unclear when the EPA will open the proposed changes for public comments.

According to the EPA, there are about one million certified applicators nationwide. Before delaying implementation, the agency said the revised rule could prevent some 1,000 acute poisonings every year.

Now the EPA must work with state agencies to revise the certification processes for applicators of restricted use pesticides to implement the new safety standards. The defendants have the right to appeal to the U.S. Court of Appeals.

We continue our advocacy and litigation on other actions by the Trump EPA and Pruitt to weaken pesticide safety standards that prevent pesticide exposure to farmworkers and their children.

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*Farmworker Justice is a national advocacy group for farmworkers. [www.farmworkerjustice.org](http://www.farmworkerjustice.org)*

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