



New Report Exposes Significant Gaps in Pesticide Safety Regulation Enforcement, Impact on Farmworkers

Collaboration between Vermont Law and Graduate School and Farmworker Justice identifies a complex system of enforcement that lacks the capacity to effectively protect farmworkers

SOUTH ROYALTON, Vt. (September 7, 2022) – The [Center for Agriculture and Food Systems \(CAFS\)](#) at Vermont Law and Graduate School and national advocacy organization [Farmworker Justice](#) today released a report entitled “[Exposed and At Risk: Opportunities to Strengthen Enforcement of Pesticide Regulations for Farmworker Safety](#),” which analyzes the regulatory structure currently being used to protect farmworkers from the dangers of pesticide use in agriculture.

The report uses extensive research, interviews and stories from the field to document an extremely complex system of pesticide enforcement and illustrate how the cooperative agreement between federal and state agencies makes it nearly impossible to ensure implementation of the federal Worker Protection Standard.

Focusing specifically on laws and regulations in California, Washington, Illinois, and Florida, the report finds that even with laws and regulations in place to protect farmworkers, enforcement is low and farmworkers are often reluctant to report violations due to systematic issues that affect farmworkers such as fear of retaliation, fear of deportation, or lack of access to resources.

“Farmworkers experience threats, risks, and extreme hardships across multiple categories that significantly threaten their health and safety,” said Laurie Beyranevand, CAFS Director. “They are the foundation of our food system, yet experience a regulatory system that often works against them, leaving them dangerously under-protected.”

The structure of pesticide safety enforcement is also ineffective, the report states, as state agencies tasked with enforcing federal and state pesticide safety laws, such as state Departments of Agriculture, are often the same agencies that promote the economic interests of the agriculture industry. This tension, coupled with insufficient regulatory responses to worker protection violations, suggests that pesticide safety enforcement should be delegated to an agency that is specifically tasked with protecting the health of workers.

“While pesticide safety rules have been in effect for decades, they must be enforced in order to truly protect farmworkers from the harmful effects of pesticides,” says Alexis Guild, Director of Health Policy and Programs at Farmworker Justice. “Farmworkers deserve the same protections as all other workers,

yet are constantly among the most exploited in this country. The gap between the protective laws and their implementation must be addressed moving forward."

The report identifies gaps in pesticide safety enforcement and proposes a set of policy recommendations that were formulated with the lived experience of farmworkers in mind and are focused on addressing the structural flaws in the enforcement system. Specifically, the report recommends:

- A rulemaking by EPA to establish a clear metric by which it measures compliance with current regulations that engages stakeholders
- Mandatory and universal standards issued by EPA for inspections and responses to violations
- Requirements for state lead agencies for pesticide safety enforcement be departments of labor, departments dedicated to pesticide regulation, or another department whose main concern is human health and safety

To read the full list of recommendations, download the report at vermontlaw.edu/pesticide-enforcement.

This report is the most recent installment of the Food System Worker Law and Policy Project, started in 2021 by the Center for Agriculture and Food Systems with a focus on the role of law and policy in protecting the health and safety of farmworkers. The Project's first report, "[Essentially Unprotected: A Focus on Farmworker Health Laws and Policies Addressing Pesticide Exposure and Heat-Related Illnesses](#)," explores current gaps in the U.S. law that put farmworkers at risk by failing to protect them, specifically against both pesticide exposure and heat-related illnesses.

With the release of "Exposed and At Risk: Opportunities to Strengthen Enforcement of Pesticide Regulations for Farmworker Safety," the Food System Worker Law and Policy Project builds upon their previous research to expose how farmworkers remain unprotected even under the few existing laws enforcing pesticide use.

To view the report, visit vermontlaw.edu/pesticide-enforcement. This publication was made possible with support from the [United States Department of Agriculture National Agricultural Library](#), Agricultural Research Service.

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About VLGS Center for Agriculture and Food Systems: *Vermont Law and Graduate School's Center for Agriculture and Food Systems (CAFS) uses law and policy to build a more sustainable and just food system. In partnership with local, regional, national, and international partners, CAFS addresses food system challenges related to food justice, food security, farmland access, farmworkers' rights, animal welfare, worker protections, the environment, and public health, among others. CAFS works closely with its partners to provide legal services that respond to their needs and develop resources that empower the communities they serve. Through CAFS' Food and Agriculture Clinic and Research Assistant program, students work directly on projects alongside partners nationwide, engaging in innovative work that spans the food system. Visit www.vermontlaw.edu/cafs to learn more.*

About Farmworker Justice: *Farmworker Justice is a national nonprofit organization based in Washington, DC that seeks to empower farmworkers and their families to improve their living and working conditions, immigration status, health, occupational safety, and access to justice. Founded in*

1981, FJ engages in advocacy, litigation, administrative monitoring, capacity building, health promotion, and public education. FJ works closely with national, state, and local partners. For more information, visit the Farmworker Justice website at www.farmworkerjustice.org or follow on Twitter at @FarmwrkrJustice.

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