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EPA aims to limit farmers' responsibility for worker pesticide protections to their property lines

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Washington — The Environmental Protection Agency has unveiled a proposed rule intended to revise the pesticide application exclusion zone requirement in the [Agricultural Worker Protection Standard](#).

EPA defines the [application exclusion zone](#) as “the area surrounding the application equipment which must be free of all persons, other than appropriately trained and equipped handlers, during pesticide applications.”

Announced in an Oct. 24 EPA press release and [published](#) in the Nov. 1 *Federal Register*, the proposed rule seeks to:

- Make exclusion zone requirements applicable and enforceable only within farm owners' property, amending current provisions that extend the boundary to areas outside a farm in which workers and others may be exposed to pesticide processes.
- Exempt farm owners' immediate family members from “all aspects” of the requirement.
- Introduce clarifying language stating that pesticide applications suspended as a result of individuals entering an exclusion zone may be resumed after the individuals have left the area.
- Simplify criteria for determining whether pesticide applications are subject to a 25- or 100-foot exclusion zone.

According to the release, “off-farm bystanders” would remain protected from pesticide applications under the existing “do not contact” provision of the exclusion zone requirement.

“In listening to input from stakeholders, our proposal will make targeted updates, maintaining safety requirements to protect the health of those in farm country, while providing greater flexibility for farmers,” Wheeler said in the release.

Barb Glenn, CEO of the National Association of State Departments of Agriculture, supports the proposal.

“NASDA appreciates the EPA’s continued steps to prioritize worker safety,” Glenn said in the release. “Additional and improved guidelines for implementing pesticide safety standards are always welcomed, as NASDA members hold highly the responsibility of protecting our nation’s agricultural workforce.”

Opponents contend the revisions limit worker and family protections by increasing the risk of pesticide exposure. In an article [published](#) Oct. 24 in *The Hill*, Lori Ann Burd, environmental health program director at the Center for Biological Diversity, claims the rule is designed to benefit farm owners at their employees’ expense.

“Farm workers and their families continue to be poisoned by pesticides, and if anything, the WPS must be strengthened, not weakened,” Burd said in the article.

[Comments](#) on the proposed rule are due Jan. 30.