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Interagency Cooperation in Addressing Worker Protection Standard Compliance Issues

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Abstract

The Federal Worker Protection Standard is a regulated law in all states, including Florida. Compliance data have been compiled by the Florida Department of Agriculture and Consumer Services for its 10-year history and indicate that Florida's agricultural producers desire to improve compliance. A statewide interagency effort was undertaken during 2006 to educate producers, with an overall goal of improving long-term compliance. University of Florida Extension was called upon to take a lead role. Preliminary results indicate that our programs provided immediate compliance assistance. Other states could potentially take an interagency approach to addressing compliance issues, with Extension serving as a leader.

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Worker Protection Standard

The Worker Protection Standard (WPS) is a regulation issued by the U.S. Environmental Protection Agency (USEPA). It covers pesticides that are used in the production of agricultural plants on farms, forests, nurseries, and greenhouses. The WPS requires agricultural establishment owners to take precautionary measures to reduce the risk of pesticide-related illness and injury of workers and pesticide handlers they employ. The various WPS protective requirements are categorized under five major areas: information at a central location, pesticide safety training, decontamination supplies, employer information exchange, and emergency assistance. Each state is responsible for enforcing all requirements of the WPS.

In Florida, the WPS is under the Florida Pesticide Law, and the Florida Department of Agriculture and Consumer Services (FDACS) is the responsible agency (FDACS, 2007). In most states, including Florida, Extension serves as the primary educational agency in assisting the agricultural industry in understanding this legislation.

Summary of WPS Compliance in Florida

Beginning in 1995, FDACS initiated enforcement of WPS compliance within the state. A 10-year summary of the firms inspected, including rate and totals of violations were compiled (Table 1). Although there were additional types of agricultural firms inspected for WPS compliance, the majority targeted were farms and nurseries employing workers and pesticide handlers.

Table 1.
WPS Compliance Summary by Type of Establishment

Establishment Type	Establishments Inspected	Violation Inspections	Total Violations
Farms	1789	469 (26%)	875
Nurseries	1550	626 (40%)	1319
Other*	1175	190 (20%)	371

Total	4514	1285 (28%)	2565
*Other includes greenhouse, greenhouse/nursery, and forest production establishments.			

Of these two types of establishments, 26% and 40% of farms and nurseries were reported to have at least one WPS violation, respectively. Of all WPS inspections, farms and nurseries accounted for 2,194 total violations. Of the five major areas of WPS requirements, three areas were most problematic for these types of establishments: information at a central location, pesticide safety training, and decontamination supplies (Table 2).

Table 2.
WPS Violations by Major Compliance Area

Compliance Area	Farms	Nurseries	Total*
Central information	373 (43%)	538 (41%)	1035
Safety training	184 (21%)	413 (31%)	691
Decontamination supplies	153 (17%)	153 (12%)	361
Total*	875	1319	2565
*Includes all violations from all major compliance areas for all types of agricultural establishments.			

All areas of violation and all types of establishments are not presented, but only the three main areas of concern for farms and nurseries. Although all areas of compliance are of concern, these three areas accounted for 81% and 84% of all WPS violations on farms and nurseries, respectively. Of the three areas, display of information at a central location on the establishment was most often cited for violations on both of these types of establishments. The information required for display at a central location includes a pesticide safety poster, information regarding pesticide applications on the establishment, and emergency information for seeking medical assistance.

An Effort of Interagency Cooperation to Improve Compliance

Based upon the 10 years of compliance data for Florida, it was recognized that WPS is difficult for agricultural establishments to be in full compliance with. The nature of this state's agricultural industry and its environment are major factors for such difficulties. Agriculture is extremely diverse in Florida in that there are a tremendous variety of agricultural plants that fall under the WPS realm. With this diversity comes the great amount of hand labor required for most production facilities to produce their commodities, some facilities employing several hundred workers each.

There are approximately 44,000 agricultural establishments marketing more than \$6.8 billion, making Florida 8th in the nation in total cash receipts (FDACS, 2004). Only tourism is responsible for a greater amount of total cash receipts within the state. The state's warm and humid environment fosters a great variety of pest complexes that require control, many on a regular basis for much of the year. Pesticides are often employed in the integrated pest management on Florida's agricultural establishments. The most recent revisions to the WPS, with its entire requirements, are published in a document that totals 127 pages (USEPA, 2005). Considering these factors, full compliance is difficult, especially since it has been in effect for only a brief period of time.

Based upon all those factors, an educational opportunity was readily recognized. Agricultural commodity associations are strongly supported by Florida's producers. Because of the commitment to its constituents by the commodity associations, FDACS and the University of Florida Extension Pesticide Information Office (UFEPIO) were called upon to lead an educational outreach campaign for assisting growers in improving WPS compliance. Those participating included the Florida Fertilizer and Agrichemical, Fruit and Vegetable, Nursery Growers and Landscape Associations, and the Florida Farm Bureau. With additional monetary support from private industry, meeting facilities were secured and educational materials were developed and reproduced by the UFEPIO to target growers at 17 locations in Florida. Each meeting's focus was on the three main areas of WPS compliance that had been in most frequent violation.

Based on participant surveys, 98% of nearly 1,000 producers in attendance rated the value of the program as "good to excellent." The surveys also revealed that attending a meeting made them have a "decent to complete understanding" of the compliance areas presented. Each participant was supplied with the full 127-page WPS document and a DVD of the presentations made at the meetings.

Implications

Because WPS is federal legislation, other states could potentially take an interagency approach to addressing compliance issues, with Extension serving as a leader, especially in states that involve great amounts of hand labor. In Florida, a similar compilation of compliance data will be monitored

in the future. Based on those data, the effectiveness of our efforts may partially be determined. It may be determined that additional effort will be necessary.

Several other tangible outcomes resulted from the first 10 years of data and this initial effort. A full-time WPS coordinator was hired and is housed in the UFEPIO. A major responsibility of the WPS coordinator is to work directly with our Extension professionals in conducting outreach programs. Development of interactive web-based educational materials addressing WPS was also initiated during 2006 within the UFEPIO.

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