WPS Do’s and Don’ts

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Based on recent Worker Protection Standard (WPS) road shows around the state and observations/questions received since then, here are a few things relevant to compliance with the WPS to keep in mind.

- Do not put the WPS posting sign at the front gate to your farm. This implies that the entire farm is under a restricted-entry interval (REI) which is rarely the case. You need to be posting by treated blocks.
- Central location information has to be posted in an accessible location for employees. This consists of the large WPS poster and application information. Since most farms do not have a fax machine, some growers have found it time consuming to write all the required information for each application. A “short cut” is to have an index sheet with your application information that contains an alphabetized list of all the chemicals you use, the active ingredient, EPA registration number, REI, the licensed applicator’s name and license number (if this is the same person all the time), etc. (Chemicals with different manufacturers or different formulations would still have to be listed separately.) This way you will not have to duplicate it for each application. Your daily sheets would then only need to include the name of the chemical, the date and location of the application and when it is safe to re-enter.
- If you are using a tank mix of products in an application, list all ingredients and base the re-entry time on the material with the longest REI.
- What if a large farm is split by a dirt or paved road? Do you need more than one central location? When we posed this question to inspectors we were told that one central location would suffice as long as it was contiguous property directly on each side of the road. They did recommend having a sign on one side indicating that the central location was on the other side and include this information in your worker/handler training; however, it is not that difficult to post in two places with application information on each side pertinent to that side.
A question also came up about the legality of soap products for insect control. According to the Florida Department of Agriculture and Consumer Services (FDACS) Enforcement in Tallahassee, a soap that does not make a pesticidal claim is not regulated by them. Food safety auditors, however, may have a different interpretation, so you need to ensure that this is not a problem.

Why do you have to have decontamination supplies available for 7 days for products with 4-hour REIs, but 30 days for products with REIs longer than 4 hours or with no REI? This is because when the WPS went into effect back in 1992, some products either did not have REIs established or it was not reflected as such on the label. Those with no REI on the label are either older products or have not gone through the newer data assessments and reviews. As time goes on, this should no longer be an issue.

Inspectors now must issue a fine for failure to provide pesticide safety training, failure to comply with restricted entry intervals, failure to post treated areas to prevent early reentry, and failure to provide the essential personal protective equipment to workers or
handlers. This fine is not just a flat rate of $250 but is $250 multiplied by the number of workers involved in each infraction.