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Trump EPA Faces Lawsuit For Delaying Protections From Most Toxic Pesticides

Delays threatens the life of workers and average Americans

Farmworker and health organizations represented by Earthjustice and Farmworker Justice filed suit against the U.S. Environmental Protection Agency (EPA) Wednesday for delaying for a year implementation of the revised Certification of Pesticide Applicators (CPA) rule, which includes much needed requirements like mandatory age minimums, as well as better training for pesticide applicators to protect workers and the public from poisoning by the most toxic pesticides.

First enacted in 1974, the CPA rule ensures those who handle the most dangerous pesticides are properly trained and certified before they apply them. New common-sense protections—which have now been delayed until May 2018—require pesticide applicators to be at least 18-years-old and improve the quality of training materials. The updated CPA rule also says applicators must be able to read and write, and increases the frequency of applicator safety trainings.

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

“EPA’s mission is to protect all Americans from significant risks to human health and yet it’s delaying life-saving information and training for the workers who handle the most toxic pesticides in the country,” **said Eve C. Gartner, Earthjustice attorney.** “This delay jeopardizes everyone’s health and safety.”

After years of reviews, EPA [published](#) the revised CPA Rule on January 4, updating for the first time in years how applicators of restricted use pesticides, or RUPs, are certified. RUPs are the most toxic and dangerous pesticides on the market and can cause humans serious injury or death if they are improperly handled. The rule was scheduled to go into effect March 6, but the Trump Administration delayed it as it placed a mandatory freeze on all regulations coming out of federal agencies.

"It's clear that field workers need these protections now, not later. For years we've put mandatory age minimums on things like alcohol, or tobacco, and yet we still let minors handle the most dangerous pesticides or won't make sure if certified applicators can read and write," **said Erik Nicholson, national**

vice president of the United Farm Workers. "The Trump Administration is failing to safeguard our communities from preventable risks in the benefit of corporate profit."

The lawsuit, filed in the U.S. District Court for the Northern District of California, comes a month after the EPA announced a one-year delay to the rule, while offering the public just 4 days to comment on the move. Delay means minors or poorly trained applicators can continue to handle some of the most toxic pesticides in agricultural, commercial and residential settings, putting themselves and the public at risk.

"We need to do everything in our power to protect farmworkers from dangerous pesticides, the goal of this litigation is to precisely do that," **said Ramon Ramirez, president of Pineros y Campesinos Unidos del Noroeste.**

When the EPA adopted the rule, it pointed to various tragic incidents where children died or were seriously injured when poorly trained applicators misused highly toxic pesticides. The agency concluded stronger standards for those applying RUPs will reduce risks to workers and help protect communities and the environment from toxic harms. Yet in delaying the rule, EPA refused to address these findings, and it failed to explain to the public how a delay would not cause unreasonable risks to people.

"The CPA rule provides basic, yet critical safety and training requirements for applicators. We can't delay rules that can save lives," **said Anne Katten of the California Rural Legal Assistance Foundation.**

There's been high profile pesticide poisonings that could have been prevented by more stringent protections for public health. Just in 2015 there were two poisoning incidents, one in the [U.S. Virgin Islands](#) and another one in [Palm City, Florida](#), which exemplify the need for the updated CPA rule. In both cases children suffered serious brain injuries stemming from the gross errors of pesticide applicators.

"When I was pregnant with my third child, I was mixing and handling pesticides in a local nursery. I was never given proper training, or personal protective equipment, nor was I under the supervision of a certified applicator," **said Yesica Ramirez of the Farmworker Association of Florida.** "My baby was born with craniosynostosis, a birth defect, plus, eczema, and sleep apnea. I will never know if the pesticides caused this, but I do know that it is important to have stronger regulations for certified applicators to protect the health of our farmworkers and our families."

"There is no doubt whatsoever that more detailed annual training is essential to provide the protections that pesticide applicators and their families need," **said Margaret Reeves, senior scientist at the Pesticide Action Network North America.**

"There is no justification for delaying common sense measures to improve safety. Each year of delay will result in more poisonings and deaths," **said Virginia Ruiz, director of occupational and environmental health at Farmworker Justice.**

The lawsuit was filed on behalf of Farmworker Association of Florida, United Farm Workers, Pineros y Campesinos Unidos del Noroeste, California Rural Legal Assistance Foundation and Pesticide Action Network North America.