



**County
Health Officials
of New York**
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OPPOSES

A.6122 (Englebright)

AN ACT to amend the public health law, in relation to farm worker protection

The New York State Association of County Health Officials opposes the above-referenced legislation, which would mandate requirements related to farm worker protection into public health law. While the intent of this legislation is laudable, the result would be an unfunded mandate on local health departments (LHDs), shifting and broadening their current housing inspection responsibilities for farm workers to include pesticide protection, an area well outside of LHD staff expertise.

Under current Occupational Safety and Health Agency guidelines, pesticide use by and exposure of farmworkers is governed by federal Environmental Protection Agency Agricultural Worker Protection Standards. These include:

- Pesticide safety training — for workers and handlers,
- Access to labeling information — for pesticide handlers and early-entry workers,
- Access to specific information — for workers and handlers, which includes providing information about pesticide applications on the establishment, emergency information, and a pesticide safety poster at a central location,
- Keeping workers out of areas being treated with pesticides,
- Keeping workers out of areas that are under a restricted-entry interval (REI), with a few narrow exceptions,
- Protection of early-entry workers who are doing permitted tasks in pesticide-treated areas during an REI, including special instructions and duties related to correct use of personal protective equipment,
- Notification of workers about pesticide-treated areas so they can avoid inadvertent exposures,
- Monitoring of handlers using highly toxic pesticides,
- Provision of required personal protective equipment to handlers,
- Provision of decontamination supplies — a sufficient supply of water, soap, and towels for routine washing and emergency decontamination, and
- Emergency assistance — making transportation available to a medical care facility in case of a pesticide injury or poisoning, and providing information about the pesticide(s) to which the person may have been exposed.

In addition to current EPA standards, a proposed update, currently in the public comment period, also addresses other issues raised in the legislation, such as expanded training content around ‘take-home’ exposure and hazards such as residue on clothing. Given that these updates are already underway at the federal level, and that federal regulations to protect agricultural workers from pesticide exposure already exist, NYSACHO believes that placing an additional unfunded mandate in state public health law is unnecessary. For the above-stated reasons, NYSACHO opposes this legislation.

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