

§ 170.135

40 CFR Ch. I (7-1-02 Edition)

warning signs, oral warnings, the availability of specific information about applications, and the protection against retaliatory acts.

(e) *Verification of training.* (1) Except as provided in paragraph (e)(2) of this section, if the agricultural employer assures that a worker possesses an EPA-approved Worker Protection Standard worker training certificate, then the requirements of paragraph (a) and (c) of this section will have been met.

(2) If the agricultural employer is aware or has reason to know that an EPA-approved Worker Protection Standard worker training certificate has not been issued in accordance with this section, or has not been issued to the worker bearing the certificate, or the training was completed more than 5 years before the beginning of the current month, a worker's possession of that certificate does not meet the requirements of paragraph (a) of this section.

[57 FR 38151, Aug. 21, 1992, as amended at 60 FR 21947, 21952, May 3, 1995]

§ 170.135 Posted pesticide safety information.

(a) *Requirement.* When workers are on an agricultural establishment and, within the last 30 days, a pesticide covered by this subpart has been applied on the establishment or a restricted-entry interval has been in effect, the agricultural employer shall display, in accordance with this section, pesticide safety information.

(b) *Pesticide safety poster.* A safety poster must be displayed that conveys, at a minimum, the following basic pesticide safety concepts:

(1) Help keep pesticides from entering your body. At a minimum, the following points shall be conveyed:

(i) Avoid getting on your skin or into your body any pesticides that may be on plants and soil, in irrigation water, or drifting from nearby applications.

(ii) Wash before eating, drinking, using chewing gum or tobacco, or using the toilet.

(iii) Wear work clothing that protects the body from pesticide residues (long-sleeved shirts, long pants, shoes and socks, and a hat or scarf).

(iv) Wash/shower with soap and water, shampoo hair, and put on clean clothes after work.

(v) Wash work clothes separately from other clothes before wearing them again.

(vi) Wash immediately in the nearest clean water if pesticides are spilled or sprayed on the body. As soon as possible, shower, shampoo, and change into clean clothes.

(vii) Follow directions about keeping out of treated or restricted areas.

(2) There are Federal rules to protect workers and handlers, including a requirement for safety training.

(c) *Emergency medical care information.*

(1) The name, address, and telephone number of the nearest emergency medical care facility shall be on the safety poster or displayed close to the safety poster.

(2) The agricultural employer shall inform workers promptly of any change to the information on emergency medical care facilities.

(d) *Location.* (1) The information shall be displayed in a central location on the farm or in the nursery or greenhouse where it can be readily seen and read by workers.

(2) The information shall be displayed in a location in or near the forest in a place where it can be readily seen and read by workers and where workers are likely to congregate or pass by, such as at a decontamination site or an equipment storage site.

(e) *Accessibility.* Workers shall be informed of the location of the information and shall be allowed access to it.

(f) *Legibility.* The information shall remain legible during the time it is posted.

§ 170.150 Decontamination.

(a)(1) *Requirement.* The agricultural employer must provide decontamination supplies for workers in accordance with this section whenever:

(i) Any worker on the agricultural establishment is performing an activity in the area where a pesticide was applied or a restricted-entry interval (REI) was in effect within the last 30 days, and;

(ii) The worker contacts anything that has been treated with the pesticide, including, but not limited to

soil, water, plants, plant surfaces, and plant parts.

(2) *Exception.* The 30-day time period established in paragraph (a)(1)(i) of this section shall not apply if the only pesticides used in the treated area are products with an REI of 4 hours or less on the label (but not a product without an REI on the label). When workers are in such treated areas, the agricultural employer shall provide decontamination supplies for not less than 7 days following the expiration of any applicable REI.

(b) *General conditions.* (1) The agricultural employer shall provide workers with enough water for routine washing and emergency eyeflushing. At all times when the water is available to workers, the employer shall assure that it is of a quality and temperature that will not cause illness or injury when it contacts the skin or eyes or if it is swallowed.

(2) When water stored in a tank is to be used for mixing pesticides, it shall not be used for decontamination or eyeflushing, unless the tank is equipped with properly functioning valves or other mechanisms that prevent movement of pesticides into the tank.

(3) The agricultural employer shall provide soap and single-use towels in quantities sufficient to meet worker's needs.

(4) To provide for emergency eyeflushing, the agricultural employer shall assure that at least 1 pint of water is immediately available to each worker who is performing early-entry activities permitted by §170.112 and for which the pesticide labeling requires protective eyewear. The eyeflush water shall be carried by the early-entry worker, or shall be on the vehicle the early-entry worker is using, or shall be otherwise immediately accessible.

(c) *Location.* (1) The decontamination supplies shall be located together and be reasonably accessible to and not more than 1/4 mile from where workers are working.

(2) For worker activities performed more than 1/4 mile from the nearest place of vehicular access:

(i) The soap, single-use towels, and water may be at the nearest place of vehicular access.

(ii) The agricultural employer may permit workers to use clean water from springs, streams, lakes, or other sources for decontamination at the remote work site, if such water is more accessible than the water located at the nearest place of vehicular access.

(3) The decontamination supplies shall not be maintained in an area being treated with pesticides.

(4) The decontamination supplies shall not be maintained in an area that is under a restricted-entry interval, unless the workers for whom the supplies are provided are performing early-entry activities permitted by §170.112 and involving contact with treated surfaces and the decontamination supplies would otherwise not be reasonably accessible to those workers.

(d) *Decontamination after early-entry activities.* At the end of any exposure period for workers engaged in early-entry activities permitted by §170.112 and involving contact with anything that has been treated with the pesticide to which the restricted-entry interval applies, including, but not limited to, soil, water, air, or surfaces of plants, the agricultural employer shall provide, at the site where the workers remove personal protective equipment, soap, clean towels, and a sufficient amount of water so that the workers may wash thoroughly.

[57 FR 38151, Aug. 21, 1992, as amended at 61 FR 33212, June 26, 1996]

§ 170.160 Emergency assistance.

If there is reason to believe that a person who is or has been employed on an agricultural establishment to perform tasks related to the production of agricultural plants has been poisoned or injured by exposure to pesticides used on the agricultural establishment, including, but not limited to, exposures from application, splash, spill, drift, or pesticide residues, the agricultural employer shall:

(a) Make available to that person prompt transportation from the agricultural establishment, including any labor camp on the agricultural establishment, to an appropriate emergency medical facility.

(b) Provide to that person or to treating medical personnel, promptly upon