

SUBCHAPTER 12. AGRICULTURAL WORKER PROTECTION

7:30-12.1 General Duties, Prohibited Actions

- (a) The agricultural employer or the handler employer, as appropriate, shall:
1. Assure that each worker or handler subject to this subchapter receives the protection required by this subchapter;
 2. Assure that any pesticide handled for use on an agricultural establishment is used in a manner consistent with the labeling of the pesticide, and the requirements of this subchapter;
 3. Provide to each person who supervises any worker or handler, information and directions sufficient to assure that each worker or handler receives the protection required by this subchapter. Such information and directions shall specify which persons are responsible for actions required to comply with this subchapter; and
 4. Require each person who supervises any worker or handler to assure compliance by the worker or handler with the provisions of this subchapter and to assure that the worker or handler receives the protection required by this subchapter.

(b) The agricultural employer or the handler employer shall not take any retaliatory action for attempts to comply with this subchapter or any action having the effect of preventing or discouraging any worker or handler from complying or attempting to comply with any of the requirements of this subchapter.

7:30-12.2 Standard for workers

(a) Except as provided by (b) and (c), below this subchapter applies when any pesticide product is used on an agricultural establishment.

(b) This subchapter does not apply when any pesticide is applied to an agricultural establishment in the following circumstances:

1. For mosquito abatement, Mediterranean fruit fly eradication, or similar community or area-wide public pest control programs sponsored by government entities;
2. On livestock or other animals, or in or about animal premises;
3. On plants grown for other than commercial or research purposes, which may include plants in habitations, home fruit and vegetable gardens, and home greenhouses;
4. On plants that are in ornamental gardens, parks, and public or private lawns and grounds that are intended only for aesthetic purposes or climatic modification;
5. Applied by injection directly into agricultural plants. Direct injection does not include “hack and squirt”, “frill and spray”, chemigation, soil incorporation or soil-injection;
6. In a manner not directly related to the production of agricultural plants, or animals, including, but not limited to, structural pest control, control of vegetation along rights-of-way and in other noncrop areas, and pasture and rangeland use;
7. For control of vertebrate pests;
8. As attractants or repellents in traps;
9. On the harvested portions of agricultural plants or on harvested timber; or
10. For research uses of unregistered pesticides.

(c) The workers listed in this subsection are exempt from the specified provisions of this subchapter.

1. The owner of an agricultural establishment is not required to provide to himself or herself or members of his immediate family who are performing tasks related to the production of agricultural plants on their own agricultural establishment the protections of the following

subchapter provisions:

- i. N.J.A.C. 7:30-12.4(c)5 through 9;
 - ii. N.J.A.C. 7:30-12.4(c)5 through 9 as referenced in N.J.A.C. 7:30-12.4(d)2iii and (e);
 - iii. N.J.A.C. 7:30-12.5;
 - iv. N.J.A.C. 7:30-12.6;
 - v. N.J.A.C. 7:30-12.8;
 - vi. N.J.A.C. 7:30-12.9;
 - vii. N.J.A.C. 7:30-12.10; and
 - viii. N.J.A.C. 7:30-12.11
2. The owner of an agricultural establishment shall provide the protections listed in (c)1 above to other workers and other persons who are not members of his or her immediate family.
 3. Provided that the conditions of (c)3ii below are met, a person who is certified or licensed as a crop advisor by a program acknowledged as appropriate in writing by the Department, Pesticide Control Program, USEPA, or another State or Tribal lead agency for pesticide enforcement and persons performing crop advising tasks under such qualified crop advisor's direct supervision, are exempt from the provisions of N.J.A.C. 7:30-12.10 and 12.11.
 - i. A person is under the direct supervision of a crop advisor when the crop advisor exerts the supervisory controls set out in (c)3ii(3) and (4) below. Direct supervision does not require that the crop advisor be physically present at all times, but the crop advisor shall be readily accessible to the employees at all times.
 - ii. Conditions of crop advisor exemption are as follows:
 - (1) The certification or licensing program requires pesticide safety training that includes, at least, all the information in N.J.A.C. 7:30-12.16(c)3.
 - (2) The exemption applies only when performing crop advising tasks in the treated area.
 - (3) The crop advisor shall make specific determinations regarding the appropriate personal protective equipment (PPE), appropriate decontamination supplies, and how to conduct the tasks safely. The crop advisor shall convey this information to each person under his or her direct supervision in a language that the person understands.
 - (4) Before entering a treated area, the certified or licensed crop advisor shall inform, through an established practice of communication, each person under his or her direct supervision of the pesticide product and active ingredient(s) applied, method of application, time of application, the restricted entry interval, which tasks to undertake, and how to contact the crop advisor.

7:30-12.3 Restrictions associated with pesticide applications

(a) During the application of any pesticide on a farm or in a forest, the agricultural employer shall not allow or direct any person, other than an appropriately trained and equipped handler, to enter or to remain in the treated area.

(b) In a nursery, during any pesticide application described in column A of Table 1 of this subsection, the agricultural employer shall not allow or direct any person, other than an appropriately trained and equipped handler, to enter or to remain in the area specified in column B of Table 1 of this subsection. After the application is completed, until the end of any restricted-entry interval, the entry-restricted area is the treated area.

Table 1- Entry Restricted Areas in Nurseries During Pesticide Applications

A. During applications:	B. Workers Prohibited
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	in:
1. Applied: <ul style="list-style-type: none"> i. Aerially, or ii. In an upward direction, or iii. Using a spray pressure greater than 150 psi, or iv. As a fumigant, or v. Smoke, or vi. Mist, or vii. Fog, or viii. Aerosol. 	Treated area plus 100 feet in all directions on the nursery
2. Applied downward using: <ul style="list-style-type: none"> i. A height of greater than 12 inches from the planting medium, or ii. A fine spray, or iii. A spray pressure greater than 40 psi and less than 150 psi iv. For which a respiratory protection device is required for application by the product labeling. 	Treated area plus 25 feet in all directions on the nursery
3. Applied otherwise.	Treated area.

- (c) The following apply to pesticide application in greenhouses:
1. When a pesticide application of the type described in column A of Table 2 of this subsection takes place in a greenhouse, the agricultural employer shall not allow or direct any person, other than an appropriately trained and equipped handler, to enter or remain in the area specified in column B of Table 2 until the time specified in column C of Table 2 has expired.
 2. After the time specified in column C of Table 2 under this subsection has expired, until the expiration of any restricted-entry interval, the agricultural employer shall not allow or direct any worker to enter or to remain in the treated area as specified in column D of Table 2 under this subsection, except as provided for in section N.J.A.C. 7:30-12.2.
 3. When column C of Table 2 of this subsection specifies that ventilation criteria must be met, ventilation shall continue until the air concentration is measured to be equal to or less than the inhalation exposure level the labeling requires to be achieved. If no inhalation exposure level is listed on the labeling, ventilation shall continue until after:
 - i. Ten air exchanges are completed;
 - ii. Two hours of ventilation using fans or other mechanical ventilating systems;
 - iii. Four hours of ventilation using vents, windows or other passive ventilation;
 - iv. Eleven hours with no ventilation followed by one hour of mechanical ventilation;
 - v. Eleven hours of ventilation followed by two hours of passive ventilation; or
 - vi. Twenty four hours with no ventilation.
 4. The following Table 2 applies to (c)1, 2, and 3 above.

Table 2-Greenhouse Entry Restrictions

A. When a Pesticide is Applied:	B. Workers are Prohibited In:	C. Until:	D. After the Expiration of Time
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			in Column C Until the Restricted-Entry Interval Expires, the Restricted-Entry Area Is:
1. As a fumigant	Entire greenhouse plus any adjacent structure that cannot be sealed off from the treatment area	The ventilation criteria of subsection (c)3 are met	No entry restrictions after criteria in column C are met
2. As a: i. Smoke, or ii. Mist, or iii. Fog, or iv. Aerosol	Entire enclosed area	The ventilation criteria of subsection (c)3 are met	Entire enclosed area is the treated area
3. Not in 1 or 2 above, and for which a respiratory protection device is required for application by the product labeling	Entire enclosed area	The ventilation criteria of subsection (c)3 are met	Treated area
4. Not in 1,2 or 3 above and: i. From a height of greater than 12 inches from the planting medium, or ii. As a fine spray, or iii. Using a spray pressure greater than 40 psi	Treated area plus 25 feet in all directions in the enclosed area	Application is complete	Treated area
5. Otherwise	Treated area	Application is complete	Treated area

7:30-12.4 Worker entry restrictions

(a) After the application of any pesticide on an agricultural establishment, the agricultural employer shall not allow or direct any worker to enter or remain in the treated area before the restricted-entry interval specified on the pesticide labeling has expired, except as provided in this section.

1. Entry restricted areas in greenhouses are specified in column D in Table 2, N.J.A.C. 7:30-12.3(c)4.
2. When two or more pesticides are applied at the same time, the restricted-entry interval shall be the longest of the applicable intervals.
3. The agricultural employer shall assure that any worker who enters a treated area under a restricted-entry interval as permitted in (c), (d), and (e) below uses the personal protective equipment (PPE) specified in the product labeling for early-entry workers and follows any other requirements on the pesticide labeling regarding early entry.

- (b) A worker may enter a treated area during a restricted-entry interval if the agricultural employer assures that both of the following are met:
1. The worker will have no contact with any thing that has been treated with the pesticide to which the restricted-entry interval applies, including but not limited to, soil, water, air, or surface of plants; and
 2. No such entry is allowed until any inhalation exposure level listed in the labeling has been reached or any ventilation criteria established by N.J.A.C. 7:30-12.3(c)3 or in the labeling have been met.
- (c) Exception for short term activities. A worker may enter a treated area during a restricted-entry interval for short-term activities if the agricultural employer assures that the following requirements are met:
1. No hand labor activity is performed;
 2. The time in treated areas under a restricted-entry interval for any worker does not exceed one hour in any 24 hour period;
 3. No such entry is allowed for the first four hours following the end of the application, and no such entry is allowed thereafter until any inhalation exposure level listed in the labeling has been reached or any ventilation criteria established by N.J.A.C. 7:30-12.3(c)3 or in the labeling have been met;
 4. The personal protective equipment (PPE) specified on the product labeling for early entry is provided to the worker. Such PPE shall conform to the following standards:
 - i. PPE means devices and apparel that are worn to protect the body from contact with pesticides or pesticide residues, including but not limited to, coveralls, chemical-resistant suits, chemical-resistant gloves, chemical-resistant footwear, respiratory protection devices, chemical-resistant aprons, chemical-resistant headgear, and protective eyewear.
 - ii. Long-sleeved shirts, short-sleeved shirts, long pants, short pants, shoes, socks, and other items of work clothing are not considered personal protective equipment for the purposes of this section and are not subject to the requirements of this section, although pesticide labeling may require that such work clothing be worn during some activities.
 - iii. When “chemical-resistant” PPE is specified by the product labeling, it shall be made of material that allows no measurable movement of the pesticide being used through the material during use.
 - iv. When “waterproof” PPE is specified by the product labeling, it shall be made of material that allows no measurable movement of water or aqueous solutions through the material during use.
 - v. When a “chemical-resistant suit” is specified by the product labeling, it shall be a loose fitting, one or two piece, chemical-resistant garment that covers, at a minimum, the entire body except head, hands, and feet.
 - vi. When “coveralls” are specified by the product labeling, they shall be a loose fitting, one or two piece garment, such as a cotton or cotton and polyester coverall, that covers, at a minimum, the entire body except head, hands, and feet. The pesticide product labeling may specify that the coveralls be worn over a layer of clothing. If a chemical-resistant suit is substituted for coveralls, it need not be worn over a layer of clothing.
 - vii. Gloves shall be of the type specified by the product labeling. Gloves or glove linings made of leather, cotton, or other adsorbent materials shall not be worn for early-entry activities unless these materials are listed on the product labeling as acceptable for such use. If chemical-resistant gloves with sufficient durability and suppleness are not obtainable for tasks with roses or other plants with sharp thorns, leather gloves may be worn for this use, thereafter they shall be worn only with chemical-resistant liners and they shall not be worn for any other use.
 - viii. When “chemical-resistant footwear” is specified by the product labeling, it shall be one of the following types of footwear: chemical-resistant shoes, chemical-resistant boots, or chemical-

resistant shoe coverings worn over shoes or boots. If chemical-resistant footwear with sufficient durability and a tread appropriate for wear in rough terrain is not obtainable for workers, then leather boots may be worn in such terrain.

- ix. When “protective eyewear” is specified by the product labeling, it shall be one of the following types of eyewear: goggles; face shield; safety glasses with front, brow, and temple protection; or a full face respirator.
- x. When “chemical-resistant headgear” is specified by the product labeling, it shall be either a chemical-resistant hood or a chemical-resistant hat with a wide brim;
5. The agricultural employer shall assure that the worker, before entering the treated area, either has read the product labeling or has been informed, in a manner that the worker can understand, of all the labeling requirements related to human hazards or precautions, first aid, symptoms of poisoning, personal protective equipment specified for early entry, and any other labeling requirements related to safe use;
6. The agricultural employer shall assure that:
 - i. Workers wear the PPE correctly for its intended purpose and use PPE according to manufacturer's instructions;
 - ii. Before each day of use, all PPE is inspected for leaks, holes, tears, or worn places, and any damaged equipment is repaired or discarded;
 - iii. PPE that cannot be cleaned properly is disposed of in accordance with any applicable Federal, State, and local regulations;
 - iv. All PPE is cleaned according to manufacturer's instructions or pesticide product labeling instructions before each day of reuse. In the absence of any such instructions, it shall be washed thoroughly in detergent and hot water;
 - v. Before being stored, all clean PPE is dried thoroughly or is put in a well-ventilated place to dry;
 - vi. PPE contaminated with pesticides is kept separately and washed separately from any other clothing or laundry;
 - vii. Any person who cleans or launders PPE is informed that such equipment may be contaminated with pesticides, of the potentially harmful effects of exposure to pesticides, and the correct way(s) to handle and clean PPE and to protect themselves when handling equipment contaminated with pesticides;
 - viii. All clean PPE is stored separately from personal clothing and apart from pesticide-contaminated areas;
 - ix. Each worker is instructed how to put on, use, and remove the PPE and is informed about the importance of washing thoroughly after removing PPE;
 - x. Each worker is instructed in the prevention, recognition, and first aid treatment of heat-related illness; and
 - xi. Workers have a clean place(s) away from pesticide storage and pesticide use areas for storing personal clothing not in use; putting on PPE at the start of any exposure period; and removing PPE at the end of any exposure period.
7. When PPE is required by the labeling of any pesticide for early entry, the agricultural employer shall assure that no worker is allowed or directed to perform early-entry activity without implementing, when appropriate, measures to prevent heat related illness.
8. During any early-entry activity, the agricultural employer shall provide a decontamination site in accordance with N.J.A.C. 7:30-12.10; and
9. The agricultural employer shall not allow or direct any worker to wear home or take home PPE contaminated with pesticides.

(d) A worker may enter a treated area under a restricted-entry interval in an agricultural emergency to perform tasks, including hand labor tasks, necessary to mitigate the effects of the agricultural emergency, if

the agricultural employer assures that all of the following criteria are met:

1. The Department, Pesticide Control Program, declares the existence of circumstances that could cause an agricultural emergency on that agricultural establishment.
2. The agricultural employer determines the agricultural establishment is subject to the circumstances declared under (d)1i above; and
3. The requirements of (c)3 through 9 above are met.

(e) The US EPA may, in accordance with (e)1 through 3 below, grant an exception from the requirements of this subsection. An exception may be withdrawn in accordance with (e)6 below.

1. A request for exception shall be submitted first to the Department, Pesticide Control Program, P.O. Box 411, Trenton, NJ 08625-0411, and shall be accompanied by two copies of the following information:

- i. The name, address and telephone number of the submitter;
- ii. The time period for which the exception is requested;
- iii. A description of the crop(s) and specific crop production task(s) for which the exception is requested. Such a description shall include an explanation as to the necessity of applying pesticides of a type and at a frequency that the restricted-entry interval would interfere with necessary and time-sensitive hand labor tasks for the period for which the exception is sought;
- iv. A description of the geographic area for which the exception is requested. If the exception request is for a limited geographic area, the explanation shall include a description as to why the circumstances of exposure or economic impact resulting from the prohibition of routine hand labor tasks during the restricted-entry interval are unique to the geographic area named in the exception request;
- v. An explanation as to why, for each requested crop-task combination, alternative practices would not be technically or financially viable. Such alternative practices might include: rescheduling the pesticide application or hand labor activity; using non-chemical pest control alternatives; using an alternative to hand labor tasks, such as machine cultivation; or substituting a pesticide with a shorter restricted-entry interval. This information should include estimates or data on the per acre revenue and cost of production for the crop and area for which the exception is requested. These estimates or data should include: the situation prior to June 3, 1996, the situation after June 3, 1996 if the exception is not granted, the situation after June 3, 1996 if the exception is granted, and specific information on individual factors which cause differences in revenues and costs among the three situations; and
- vi. A description or documentation of the safety and feasibility of such an exception, including, but not limited to, the feasibility of performing necessary hand labor activity while wearing the PPE required for early entry for the pesticide(s) expected to be applied, the means of mitigating heat related illness concerns, the period of time required daily per worker to perform the hand labor activity, any suggested methods of reducing the worker's exposure, and any other mitigating factors, such as the availability of running water for routine and emergency decontamination and mechanical devices that would reduce the worker's contact with the treated surfaces. The information should include the costs associated with early-entry, such as decontamination facilities, special information and training for the workers, heat stress avoidance procedures, and provision, inspection, cleaning, and maintenance of PPE. The EPA will not grant exceptions where the costs of early entry equal or exceed the expected loss in value of the crop yield or quality.

2. When a request for exception is submitted to the Department along with all of the information required in (e)1 above, the Department shall forward the request to EPA. The EPA shall issue a notice in the Federal Register stating that an exception is being considered, describing the nature of the exception, and allowing at least 30 days for interested parties to comment.

- i. If a request for exception is submitted to the Department without all of the information required in (e)1 above, the Department shall not submit the request to EPA, but shall return the request to the submitter.
3. The EPA will publish in the Federal Register its decision whether to grant the request for exception. The EPA will base its decision on whether the benefits of the exception outweigh the costs, including the value of the health risks attributable to the exception. If the exception is granted, the notice will state the nature of and the reasons for the exception.
4. Except as provided for in (e)4i below, persons requesting an exception may assume that the exception has been denied if the US EPA has not issued its decision whether to grant the exception within nine months from the comment closure date specified in the Federal Register notice in which the exception request was announced pursuant to (e)2 above, that EPA would consider the exception.
 - i. Persons requesting an exception shall not assume that the request has been denied as provided above if action has been taken to extend the review period for a specified time interval due to the complexity of the exception request or to the number of exception requests concurrently under review. The EPA will state the reasons for the delay in issuing a decision on the exception request. A notice of such action may be published in the Federal Register or the persons who requested the exception may be notified directly.
5. When a worker enters a treated area during a restricted-entry interval under an exception granted under this subsection, the agricultural employer shall assure that the requirements of (c)3 through 9 above are met, unless the notice granting the exception specifically states otherwise.
6. An exception may be withdrawn by the EPA at any time if the EPA receives poisoning information or any other data that indicate that the health risks imposed by this early-entry exception are unacceptable; or if the EPA receives other information that indicates that the exception is no longer necessary or prudent. If the EPA determines that an exception should be withdrawn, it will publish notice in the Federal Register, stating the basis for its determination. Affected parties would then have 30 days to request a hearing on the EPA's determination. The exception, however, would be discontinued as of the date specified by the EPA in the notice, which may include any of the 30 day period and the time required for any subsequent hearing process. Thereafter the EPA will decide whether to withdraw the exception and will publish a notice in the Federal Register stating its decision.
7. The following administrative exceptions from the requirements of 40 CFR Part 170 have been granted by EPA. Each exception granted by EPA is also granted an exception under this subchapter unless specifically noted below. Each exception listed in this paragraph contains a reference to the Federal Register notice in which EPA has granted the exception and the effective dates of the exception. The terms and conditions of the exception appear in the referenced Federal Register notice.
 - i. Exception for hand labor to harvest greenhouse-grown cut roses published in the Federal Register of June 10, 1994, effective from June 10, 1994 to June 10, 1996.
 - ii. Exception to perform irrigation tasks under specified conditions published in the Federal Register of May 3, 1995, effective May 3, 1995.
 - iii. Exceptions to perform limited contact tasks under specified conditions published in the Federal Register of May 3, 1995, effective May 3, 1995.

7:30-12.5 Notice of applications to workers

- (a) The agricultural employer shall notify workers of any pesticide application in the greenhouse in accordance with the following:
 1. All pesticide applications shall be posted in accordance with (c) below.

2. If the pesticide product labeling has a statement requiring both the posting of treated areas and oral notification to workers, the agricultural employer shall also provide oral notification of the application to the worker(s) in accordance with (d) below.
 3. Notice need not be given to the worker if the agricultural employer can assure that one of the following is met:
 - i. From the start of the application until the end of the restricted-entry interval, the worker(s) will not enter, work in, remain in, or pass through the greenhouse; or
 - ii. The worker(s) applied or supervised the application of the pesticide(s) for which the notice is intended and is aware of all the information required by (d)1 through 3 below.
- (b) The agricultural employer shall notify workers of any pesticide application on the farm or in the nursery or forest in accordance with the following:
1. If the pesticide product labeling has a statement requiring both the posting of treated areas and oral notification to workers, the agricultural employer shall post signs in accordance with (c) below and shall provide oral notification of the application to the worker in accordance with (d) below.
 2. For any pesticide other than those for which the labeling requires both posting and oral notification of applications, the agricultural employer shall give notice of the application to the worker(s) either by the posting of warning signs in accordance with (c) below or orally in accordance with (d) below and shall inform the worker(s) as to which method of notification is in effect.
 3. Notice need not be given to a worker if the agricultural employer can assure that one of the following is met:
 - i. From the start of the application until the end of the application and during any restricted-entry interval, the worker will not enter, work in, remain in, or pass through on foot the treated area or any area within one-quarter mile of the treated area; or
 - ii. The worker applied, or supervised the application of, the pesticide for which the notice is intended and is aware of all information required by (d)1 below.
- (c) The agricultural employer shall post warning signs in accordance with the following criteria:
1. The warning signs shall match the following description:
 - i. The warning sign(s) shall have a background color that contrasts with red;
 - ii. The words “DANGER” and “PELIGRO,” plus “PESTICIDES” and “PESTICIDAS,” shall be at the top of the sign; and the words “KEEP OUT” and “NO ENTRE,” shall be at the bottom of the sign. Letters for all words shall be clearly legible;
 - iii. A circle containing an upraised hand on the left and a stern face on the right shall be near the center of the sign. The inside of the circle shall be red, except that the hand and a large portion of the face shall be in a shade that contrasts with red;
 - iv. The length of the hand shall be twice the height of the smallest letters. The length of the face shall be only slightly smaller than the hand; and
 - v. Additional information such as the name of the pesticide and the date of application may appear on the warning sign if it does not detract from the appearance of the sign or change the meaning of the required information. A black-and-white example of a warning sign meeting these requirements, other than the following size requirements in (c)2 below, follows:

2. The warning sign shall be at least 14 inches by 16 inches in size, and the letters shall be at least one inch in height unless a smaller sign and smaller letters are necessary because the treated area is too small to accommodate a sign of this size. If a smaller sign is used, it must meet the proportions and other requirements described in (c)1 above.
3. On farms and in forests and nurseries, the signs shall be visible from all points of worker entry to the treated area, including at least each access road, each border with any labor camp adjacent to the treated area, and each footpath and other walking route that enters the treated area. When there are no defined points of worker entry, signs shall be posted in the corners of the treated area or in any other location affording maximum visibility.
4. In greenhouses, the signs shall be posted so they are visible from all usual points of worker entry to the treated area, including each aisle or other walking route that enters the treated area. When there are no usual points of worker entry to the treated area, signs shall be posted in the corners of the treated area or in any other location affording maximum visibility.
5. The signs shall:
 - i. Be posted no sooner than 24 hours before the scheduled application of the pesticide;
 - ii. Remain posted throughout the application and any restricted-entry interval; and
 - iii. Be removed within three days after the end of any application and any restricted-entry interval and before agricultural-worker entry is permitted, other than entry permitted by N.J.A.C. 7:30-12.4.
6. The signs shall remain visible and legible during the time they are posted.
7. When several contiguous areas are to be treated with pesticides on a rotating or sequential basis, the entire area may be posted. Worker entry, other than entry permitted by N.J.A.C. 7:30-12.4, is prohibited for the entire area while the signs are posted.

(d) The agricultural employer shall provide oral warnings to workers in a manner that the worker can understand. If a worker will be on the premises during the application, the warning will be given before the application takes place. Otherwise, the warning shall be given at the beginning of the worker's first work period during which the application is taking place or the restricted-entry interval for the pesticide is in effect. The warning shall consist of:

1. The location and description of the treated area;
2. The time during which entry is restricted; and
3. Instructions not to enter the treated area until the restricted-entry interval has expired.

7:30-12.6 Providing specific information about applications

(a) When workers are on an agricultural establishment and, within the last 30 days, a pesticide covered by this subchapter 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, specific information about the pesticide.

(b) The information shall be displayed in the location specified for the pesticide safety poster in N.J.A.C. 7:30-12.9(d).

(c) If warning signs are posted for the treated area before an application, the specific application information for that application shall be posted at the same time or earlier.

1. The information shall be posted before the application takes place, if workers will be on the establishment during application. Otherwise, the information shall be posted at the beginning of any worker's first work period.
2. The information displayed shall continue to be displayed for at least 30 days after the end of the

restricted-entry interval; or if there is no restricted-entry interval, for at least 30 days after the end of the application; or, at least until workers are no longer on the establishment, whichever is earlier.

- (d) The information shall include:
1. The location and description of the treated area;
 - i. The crop;
 - ii. The location of the application, to be shown on the map required in 12.6(d)6 below;
 2. The pesticide brand or trade name, EPA Registration Number, and active ingredient(s) of the pesticide;
 3. The time and date the pesticide is to be applied;
 4. The restricted-entry interval for the pesticide and the exact date and time for safe re-entry by workers and handlers;
 5. The posted information, pursuant to (d)1, 2, 3 and 4 above shall have the following column headings printed in English and in the native language(s) understood by farm workers employed by the farm:
 - i. Crop;
 - ii. Name of Pesticide;
 - iii. Safe Reentry Time;
 - iv. Application Date;
 - v. Application Location.
 6. A map of the farm shall be posted at the same location as the written information designated in (d)1 above and shall be used to clearly designate the fields treated with pesticides;
 7. The Department will develop and make available an example format for proper posting of written information. This example will be made available through agriculture-related organizations including the New Jersey Department of Agriculture, Rutgers Cooperative Extension, and the New Jersey Farm Bureau, and from the Department by mail at the following address:

Pesticide Control Program
Farm worker Information
P.O. Box 411
Trenton, NJ 08625-0411

In lieu of the example format developed by the Department, a farm owner or lessee may use a different format if it conforms to the requirements of this subsection.

- (e) No person shall apply a pesticide to a farm or crop unless:
1. A fact sheet (when made available by the Department) is kept on file and made readily available to the workers for each agricultural plant pesticide chemical used or stored on the agricultural establishment.
 2. Such fact sheets shall be approved by the Department and shall contain the following information:
 - i. Chemical name(s);
 - ii. Common name(s);
 - iii. Acute health hazards;
 - iv. Chronic health hazards;
 - v. Symptoms of poisonings;
 - vi. Necessary personal protective equipment & practices;
 - vii. Re-entry times;

- viii. Emergency first aid procedure.
3. The fact sheets in (e)2 above shall be written in English and in the native language(s) of the workers employed at the agricultural establishment.
4. The fact sheets in (e)2 above shall be written at no more than a fifth grade level.
5. The provisions of (e)2 above shall not apply if the Department is unable to supply the fact sheets and translations.

7:30-12.7 Notice of application to handler employers

(a) Whenever handlers who are employed by a commercial pesticide handling establishment will be performing pesticide handling tasks on an agricultural establishment, the agricultural employer shall provide to the handler employer, or assure that the handler employer is aware of, the following information concerning any areas on the agricultural establishment that the handler may be in, or may walk within one-quarter mile of, and may be treated with a pesticide, or that may be under a restricted-entry interval while the handler will be on the agricultural establishment:

1. Specific location and description of any such areas; and
2. Restrictions on entering those areas.

7:30-12.8 Worker pesticide safety training

(a) The agricultural employer shall assure that each worker, required by this section to be trained, has been trained according to this section during the last five years, counting from the end of the month in which the training was completed.

1. The agricultural employer for each agricultural establishment shall also assure that each worker has received a employee orientation at least once each year for each agricultural establishment on which the worker is employed, on the first day of their employment, or at least one day prior to any work in a field which has been treated within the past 30 days. The agricultural employer may delegate such orientation to the crew leader(s); however the agricultural employer is responsible to assure that the orientation is given.
2. Employee orientation training shall meet or exceed the following course content requirements:
 - i. Re-entry, and how workers are informed about re-entry;
 - ii. The location of hand washing facilities, clean clothes and protective clothing;
 - iii. Where to obtain immediate decontamination;
 - iv. A review of bulletin board information;
 - v. The availability of pesticide fact sheets;
 - vi. Hand out the educational pamphlet required pursuant to (i) below, when available.

(b) Before a worker enters a treated area on the agricultural establishment during a restricted-entry interval to perform early-entry activities permitted by N.J.A.C. 7:30-12.4 and contacts anything that has been treated with a pesticide to which the restricted-entry interval applies, including, but not limited to, soil, water, or surfaces of plants, the agricultural employer shall assure that the worker has been trained.

(c) Except as provided for in (b) above, before a worker enters any areas on the agricultural establishment where, within the last 30 days a pesticide to which this subchapter applies has been applied or the restricted-entry interval for such pesticide has been in effect, the agricultural employer shall assure that the worker has been provided the pesticide safety information specified in (e) below, in a manner that agricultural workers can understand, such as by providing written materials or oral communication or by other means. The agricultural employer shall be able to verify compliance with this requirement.

1. Except as provided for in (b) above, before the sixth day that a worker enters any areas on an

agricultural establishment where, within the last 30 days a pesticide, to which this subchapter applies, has been applied or a restricted-entry interval for such pesticide has been in effect, the agricultural employer shall assure that the worker has been trained.

(d) The following persons need not be trained under this section:

1. A worker who is currently certified as an applicator of pesticides under N.J.A.C. 7:30-8.1;
2. A worker who satisfies the training requirements of 40 CFR Part 171;
3. A worker who satisfies the handler training requirements under N.J.A.C. 7:30-12.16; and
4. A worker who is certified or licensed as a crop advisor by a program acknowledged as appropriate in writing by the Department, the EPA, or another state or Tribal lead agency for pesticide enforcement, provided that a requirement for such certification or licensing is pesticide safety training that includes all of the information set out in N.J.A.C. 7:30-12.16(c)3.

(e) The pesticide safety information required by (c) above shall be presented to the workers in a manner that the workers can understand. At a minimum, the following information shall be provided:

1. Pesticides may be on or in plants, soil, irrigation water, or drifting from nearby applications.
2. Prevent pesticides from entering your body by:
 - i. Following directions and/or signs about keeping out of treated or restricted areas.
 - ii. Washing before eating, drinking, using chewing gum or tobacco, or using the toilet.
 - iii. Wearing work clothing that protects the body from pesticide residues.
 - iv. Washing/showering with soap and water, shampoo hair, and put on clean clothes after work.
 - v. Washing work clothes separately from other clothes before wearing them again.
 - vi. Washing 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.
3. Further training will be provided within 5 days.

(f) General pesticide safety information shall be presented to workers either orally from written materials or audiovisually. The information shall be presented in a manner that workers can understand, such as through a translator, using nontechnical terms. The presenter also shall respond to workers questions.

1. The person who conducts the training shall meet at least one of the following criteria:
 - i. Be currently certified as an applicator of restricted use pesticides under 40 CFR Part 171; or
 - ii. Be currently recognized as a trainer of pesticide handlers by a State, Federal, or Tribal agency having jurisdiction; or
 - iii. Have completed a train-the-trainer program approved by a State, Federal or Tribal agency having jurisdiction.
2. Any person who issues an EPA-approved Worker Protection Standard worker verification card shall assure that the worker who receives the card has been trained in accordance with (f)3 below.
3. The training materials shall convey, at a minimum, the following information:
 - i. Where and in what form pesticides may be encountered during work activities;
 - ii. Hazards of pesticides resulting from toxicity and exposure, including acute and chronic effects, delayed effects and sensitization;
 - iii. Routes through which pesticides can enter the body;
 - iv. Signs and symptoms of common types of pesticide poisoning;
 - v. Emergency first aid for pesticide injuries or poisonings;
 - vi. How to obtain emergency medical care;
 - vii. Routine and emergency decontamination procedures, including emergency eye flushing techniques;
 - viii. Hazards from chemigation and drift;

- ix. Hazards from pesticide residues on clothing;
- x. Warnings about taking pesticides or pesticide containers home or to living quarters;
- xi. Requirements of this subchapter designed to reduce the risks of illness or injury resulting from workers' occupational exposure to pesticides, including application and entry restrictions, the design of the warning sign, posting of warning signs, oral warnings, the availability of specific information about applications, and the protection against retaliatory acts;
- xii. A general explanation of the format and content of the pesticide fact sheet (when approved and made available by the Department); and
- xiii. Worker rights under other state and federal laws concerning:
 - (1) Hazard communication (written information and training), protection from exposure to pesticides, and field sanitation;
 - (2) Agencies responsible for enforcing State and federal laws and regulations regulating the use of pesticides;
 - (3) Procedures for filing complaints to, and obtaining information from, these agencies;

(g) Except as provided in (g)1 below, if the agricultural employer assures that a worker possesses an EPA-approved Worker Protection Standard worker verification card, then the requirements of (a) above shall have been met.

- 1. A worker's possession of a verification card does not meet the requirements of (a) above if:
 - i. The card has not been issued in accordance with (a) above; or
 - ii. The card has not been issued to the worker bearing the card; or
 - iii. The training was completed more than five years before the beginning of the current month.

(h) If the resources become available, the Department shall prepare educational pamphlets, written at a fifth grade level, in English and in the native languages of the major groups of workers, working in New Jersey. These pamphlets will be available to agricultural employers, owners, agricultural extension and other agricultural organizations. The pamphlet shall include, but not be limited to, the following areas:

- 1. General pesticide health and safety information, preventive practices in the field and in the worker residential area, signs and symptoms of pesticide poisoning, first aid and medical care, and methods of seeking assistance from state and federal agencies if a pesticide problem occurs;
- 2. The names and addresses of health providers in the vicinity who are trained in pesticide evaluation and have bi-lingual or multi-lingual staff; and
- 3. The rights of workers to obtain the pesticide information and training pursuant to this subchapter, as well as rights under other federal and state laws.

(i) Every agricultural employer shall provide the pamphlets prepared pursuant to (h) above, to all workers. Such pamphlets shall be presented to workers at least once annually as part of the employee orientation training required in (a) above, unless the workers already have an updated pamphlet in their possession.

(j) The Department may waive the initial recognition, or attendance at the Department's "Train-the-Trainer" course, where an applicant has previously been recognized by another State, Territory or Tribal agency pursuant to the regulations of that State, Territory, or Tribal agency, provided that the Department, by cooperative agreement, has previously recognized such State, Territory or Tribal agency as having adopted a trainer recognition program substantially similar to New Jersey's.

(k) A New Jersey Trainer recognition shall be issued pursuant to (f)1 above, if the following conditions are satisfied:

1. The Department receives proof of a valid recognition from any State, Territory, or Tribal agency which meets the requirements in (j) above; and
2. The trainer demonstrates to the Department a knowledge of relevant New Jersey pesticide laws and regulations.

(l) The Department, when it determines that grounds exist, may:

1. Deny an application for recognition as a trainer;
2. Revoke recognition as a trainer; or
3. Suspend recognition as a trainer.

(m) Each of the following acts shall constitute a ground for which any of the disciplinary actions described in (l) above may be taken:

1. Failing to receive prior Department approval for a training program;
2. Refusing, or after notice, failing to comply with any of the provisions of the Act, or any Order issued by the Department thereto;
3. Training in a manner that may result in harm, injury, or damage to persons, property, or the environment, or a significant risk of such harm, injury, or damage;
4. Making false or fraudulent claims through any form of written or verbal communication, misrepresenting the effects of any pesticide or application methods to be utilized;
5. Issuing false or fraudulent Worker Protection Standard worker verification card;
6. Failing to keep or falsification of required records;
7. Falsifying, or making misleading statements in the application for trainer recognition;
8. Evading, or attempting to evade, or aiding, abetting, combining with, or conspiring with any person for any purpose which will evade or be in violation of the provisions of the Act or this subchapter; or
9. Providing less information than is required pursuant to this section.

(n) No person who has had their trainer recognition revoked or suspended shall train during the time period for which the revocation or suspension is in effect.

(o) Where the Department acts pursuant to (l) above, the Department shall afford a hearing in accordance with the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, to any person who is aggrieved by the order and who has applied to the Department for a hearing within 15 days of issuance of the order.

(p) In the event of the issuance by EPA of a final order assessing a civil penalty under section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§ 135 et seq. or a criminal conviction under section 14(b), the Department may suspend or revoke worker trainer recognition of any person so assessed or convicted.

(q) A trainer shall keep a training roster for each worker or handler trained in New Jersey. This requirement shall include a roster for the annual employee orientation training. Such a roster shall contain the following information:

1. The full name of the worker or handler;
2. The date of training;
3. The name of trainer;
4. The worker's or handler's native language;
5. The training card number;
6. The worker's or handler's birth date; and

7. The place of agricultural employment (if available).
- (r) All rosters required to be kept pursuant to (q) above shall be kept for a minimum of five years.
- (s) All rosters shall be immediately provided upon request by the Department.
- (t) A list of all workers trained shall be sent to the Department, Pesticide Control Program after each training session, within 30 days.

7:30-12.9 Posted pesticide safety information

- (a) When workers are on an agricultural establishment and, within the last 30 days a pesticide covered by this subchapter 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) A safety poster shall be displayed that conveys, at a minimum, the following basic concepts:
 1. Help keep pesticides from entering your body. At a minimum, the following points shall be conveyed:
 - i. Avoid getting any on your skin or into your body any pesticides that may be on plants or 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, such as 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/ State rules to protect workers and handlers, including a requirement for safety training.
- (c) 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.
 1. The agricultural employer shall inform workers promptly of any change to the information on emergency medical care facilities.
- (d) 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.
 1. For forests, 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) Workers shall be informed of the location of the information and shall be allowed access to it.
- (f) The information shall remain legible during the time it is posted.

7:30-12.10 Decontamination

- (a) If any worker on an agricultural establishment performs any activity in an area where, within the

last 30 days, a pesticide has been applied or a restricted-entry interval has been in effect and contacts anything that has been treated with the pesticide, including but not limited to, soil, water, or surfaces of plants, the agricultural employer shall provide, in accordance with this section, a decontamination site for washing off pesticide residues.

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

1. When water stored in a tank is to be used for mixing pesticides, it shall not be used for decontamination or eye flushing, unless the tank is equipped with properly functioning valves or other mechanisms that prevent movement of pesticides into the tank.
2. The agricultural employer shall provide soap and single-use towels at each decontamination site in quantities sufficient to meet workers' needs.
3. To provide for emergency eye flushing, the agricultural employer shall assure that at least one pint of water is immediately available to each worker who is performing early-entry activities permitted by N.J.A.C. 7:30-12.4 and for which the pesticide labeling requires protective eyewear. The eye flush 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) The decontamination site shall be reasonably accessible to where workers are working, placed at the same site as the portable toilet(s).

1. For worker activities performed more than one-quarter 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 at the decontamination site located at the nearest place of vehicular access.
2. The decontamination site shall not be in an area being treated with pesticides.
3. The decontamination site shall not be in an area that is under a restricted-entry interval, unless the workers for whom the site is provided are performing early-entry activities permitted by N.J.A.C. 7:30-12.4 and involving contact with treated surfaces and the decontamination site would otherwise not be reasonably accessible to those workers.

(d) At the end of any exposure period for workers engaged in early-entry activities permitted by N.J.A.C. 7:30-12.4 and involving contact with anything that has been treated with a 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 workers remove PPE, soap, clean towels, and a sufficient amount of water so that the workers may wash thoroughly.

7:30-12.11 Emergency assistance

(a) 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:

1. Make available to that person prompt transportation from the agricultural establishment, including any labor camp on the agricultural establishment, to an appropriate medical facility.
2. Provide to that person or to treating medical personnel, promptly upon request, any obtainable

information on:

- i. Product name, EPA Registration Number, and active ingredients of any product to which that person might have been exposed;
- ii. Antidote, first aid, and other medical information from the product labeling;
- iii. The circumstances of application or use of the pesticide on the agricultural establishment;
- iv. The circumstances of exposure of that person to the pesticide.

7:30-12.12 Standard for pesticide handlers

(a) Except as provided for by (b) and (c) below, this subchapter applies when any pesticide is handled for use on an agricultural establishment.

(b) This subchapter does not apply when any pesticide is handled for use on an agricultural establishment in the following circumstances:

1. For mosquito abatement, Mediterranean fruit fly eradication, or similar community or area-wide public pest control programs sponsored by governmental entities;
2. On livestock or other animals, or in or about animal premises;
3. On plants grown for other than commercial or research purposes, which may include plants in habitations, home fruit and vegetable gardens, and home greenhouses;
4. On plants that are in ornamental gardens, parks, and public and private lawns and grounds that are intended only for aesthetic purposes or climatic modification;
5. In a manner not directly related to the production of agricultural plants and animals including, but not limited to, structural pest control, control of vegetation along rights-of-way and in other noncrop areas;
6. For control of vertebrate pests;
7. As attractants or repellents in traps;
8. On the harvested portions of agricultural plants or on harvested timber;
9. For research uses of unregistered pesticides.

(c) The handlers listed in this subchapter are exempt from the specified provisions of this subchapter.

1. The owner of an agricultural establishment is not required to provide to himself or herself or members of his or her immediate family who are performing handling tasks on their own agricultural establishment the protections of:
 - i. N.J.A.C. 7:30-12.13(b) and (c);
 - ii. N.J.A.C. 7:30-12.14;
 - iii. N.J.A.C. 7:30-12.16 through 12.19;
 - iv. N.J.A.C. 7:30-12.20(e) through (g);
 - v. N.J.A.C. 7:30-12.21; and
 - vi. N.J.A.C. 7:30-12.22.
2. The owner of the agricultural establishment shall provide any protection listed in (c)1 above to other handlers and other persons who are not members of his or her immediate family.
3. Provided that the conditions of (c)3ii below are met, a person who is certified or licensed as a crop advisor by a program acknowledged as appropriate by the Department, the EPA, or another State or Tribal lead agency for pesticide enforcement, and persons performing crop advising tasks under such qualified crop advisor's direct supervision, are exempt from the provisions of: N.J.A.C. 7:30-12.17, 12.20, 12.21 and 12.22.
 - i. A person is under the direct supervision of a crop advisor when the crop advisor exerts the supervisory controls set out in (c)3ii (4) and (5) below. Direct supervision does not require that

the crop advisor be physically present at all times, but the crop advisor shall be readily accessible to the employees at all times.

- ii. Conditions of crop advisor exemption are as follows:
 - (1) The certification or licensing program requires pesticide safety training that includes, at least, all the information in N.J.A.C. 7:30-12.16(c)3.
 - (2) No entry into the treated area shall occur until after the application ends.
 - (3) The exemption applies only when performing crop advising tasks in the treated area.
 - (4) The crop advisor shall make specific determinations regarding the appropriate PPE, appropriate decontamination supplies, and how to conduct the tasks safely. The crop advisor shall convey this information to each person under his or her direct supervision in a language that person understands.
 - (5) Before entering a treated area, the certified or licensed crop advisor shall inform, through an established practice of communication, each person under his or her direct supervision of the pesticide products and active ingredient(s) applied, method of application, time of application, the restricted entry interval, which tasks to undertake, and how to contact the crop advisor.

7:30-12.13 Restrictions during applications

(a) The handler employer and the handler shall assure that no pesticide is applied so as to contact, either directly or through drift, any worker or other person, other than an appropriately trained and equipped handler.

(b) The handler employer shall assure that any handler who is performing any handling activity with a product that has the skull and crossbones symbol on the front panel of the label is monitored visually or by voice communication at least every two hours.

- (c) The handler employer shall assure:
 - 1. That any handler who handles a fumigant in a greenhouse, including a handler who enters a greenhouse before the acceptable exposure level or ventilation criteria have been met to monitor air levels or to initiate ventilation, maintains continuous visual or voice contact with another handler; and
 - 2. That the other handler has immediate access to the PPE required by the fumigant labeling for handlers in the event entry into the fumigated greenhouse becomes necessary for rescue.

7:30-12.14 Providing specific information about applications

(a) When handlers, except those employed by a commercial pesticide handling establishment and, within the last 30 days, a pesticide covered by this subchapter has been applied on the establishment or a restricted-entry interval has been in effect, the handler employer shall display, in accordance with this section, specific information about the pesticide.

(b) The information shall be displayed in the same location specified for the pesticide safety poster in N.J.A.C. 7:30-12.19(d) and shall be accessible and legible, as specified in N.J.A.C. 7:30-12.19(e) and (f).

(c) If warning signs are posted for the treated area before an application, the specific application information for that application shall be posted at the same time or earlier.

- 1. The information shall be posted before the application takes place, if handlers, except those employed by a commercial handling establishment, will be on the establishment during application. Otherwise, the information shall be posted at the beginning of any such handler's

- first work period.
2. The information shall continue to be displayed for at least 30 days after the end of the restricted-entry interval; or, if there is no restricted-entry interval, for at least 30 days following the end of the application; or at least until the handlers are no longer on the establishment; whichever is earlier.
- (d) The information posted shall include:
1. The location and description of the treated area;
 - i. The crop;
 - ii. The location of the application, to be shown on the map required in (d)6. below;
 2. The pesticide brand or trade name, EPA Registration Number, and active ingredient(s) of the pesticide;
 3. The time and date the pesticide is to be applied;
 4. The restricted-entry interval for the pesticide and the exact date and time for safe re-entry by handlers;
 5. The posted information, pursuant to (d)1, 2, 3, and 4 above shall have the following column headings printed in English and in the native language(s) understood by farm workers employed by the farm:
 - i. Crop;
 - ii. Name of pesticide;
 - iii. Safe re-entry Time;
 - iv. Application date;
 - v. Application location.
 6. A map of the farm shall be posted at the same location as the written information designated in (d)1. above and shall be used to clearly designate the fields treated with pesticides.
 7. The Department shall develop and make available an example format for proper posting of written information. This example will be made available through agriculture-related organizations including the New Jersey Department of Agriculture, Rutgers Cooperative Extension, and the New Jersey Farm Bureau, and from the Department by mail at the following address:

Pesticide Control Program
Farmworker Information
P.O. Box 411
Trenton, NJ 08625-0411

In lieu of the example format developed by the Department, a farm owner or lessee may use a different format if it conforms to the requirements of this subsection.

- (e) No person shall apply a pesticide to a farm or crop unless:
1. A fact sheet (when made available by the Department) is kept on file and made readily available to the handlers, for each agricultural plant pesticide chemical used or stored on the agricultural establishment.
 2. Such fact sheets shall be approved by the Department (when money and resources become available) and must contain the following information:
 - i. Chemical name(s);
 - ii. Common name(s);
 - iii. Acute health hazards;
 - iv. Chronic health hazards;
 - v. Symptoms of poisonings;

- vi. Necessary personal protective equipment & practices;
- vii. Re-entry times; and
- viii. Emergency first aid procedure.
- 3. The fact sheets in (e)2 above shall be written in English and in the native language(s) of the handlers employed at the agricultural establishment.
- 4. The fact sheets in (e)2 above shall be written at no more than a fifth grade level.
- 5. The provisions of (e)2 above shall not apply if the Department is unable to supply the fact sheets and translations.

7:30-12.15 Notice of applications to agricultural employers.

(a) Before the application of any pesticide on or in an agricultural establishment, any handler employer, commercial pesticide applicator and/or pesticide applicator business performing any application of a pesticide having a reentry time subject to the provisions of 40 CFR Part 156, shall notify the agricultural employer, owner or lessee responsible for the field being treated of the following:

- 1. The specific location and description of the treated area;
- 2. The time and date of application;
- 3. The product name, EPA registration number, and active ingredient(s);
- 4. The restricted-entry interval;
- 5. Whether posting and oral notification are required; and
- 6. Any other product-specific requirements on the product labeling concerning protection of workers or other persons during or after application.

7:30-12.16 Pesticide safety training for handlers

(a) Before any handler performs any handling task, the handler employer shall assure that the handler has been trained in accordance with this section during the last five years, counting from the end of the month in which the training was completed.

- 1. No handler employer shall require any person under 16 years of age to perform any handling task.

(b) The following persons need not be trained under this section:

- 1. A handler who is currently certified as an applicator of pesticides under N.J.A.C. 7:30-6.1 or 8.1;
- 2. A handler who satisfies the training requirements of 40 CFR Part 171;
- 3. A handler who is certified or licensed as a crop advisor by a program acknowledged as appropriate in writing by the Department, Pesticide Control Program, the EPA, or by another State or Tribal lead agency for pesticide enforcement, provided that a requirement for such certification or licensing is pesticide safety training that includes all information set out in (c)3 below.

(c) General pesticide safety information shall be presented to handlers either orally from written materials or audiovisually. The information shall be presented in a manner that the handlers can understand, such as through a translator. The presenter shall also respond to the handlers' questions.

- 1. The person who conducts the training shall meet at least one of the following criteria:
 - i. Be currently certified as a pesticide applicator pursuant to N.J.A.C. 7:30-6.1 or 8.1;
 - ii. Be currently recognized as a trainer of pesticide handlers by a State, Federal, or Tribal agency having jurisdiction; or
 - iii. Have completed a Train-the-trainer program approved by a State, Federal or Tribal agency having jurisdiction.

2. Any person who issues an EPA-approved Worker Protection Standard handler verification card shall assure that the handler who receives the card has been trained in accordance with (c)3 below.
3. The training materials shall convey, at a minimum, the following information:
 - i. How to read and interpret the pesticide product label and labeling;
 - ii. The proper use of personal protective equipment;
 - iii. The safe operation of equipment for mixing, loading, transferring, or applying pesticides;
 - iv. Applicable New Jersey pesticide regulations;
 - v. Where and in what form pesticides may be encountered during handling activities;
 - vi. Hazards of pesticides resulting from toxicity and exposure, including acute and chronic effects, delayed effects and sensitization;
 - vii. Routes through which pesticides can enter the body;
 - viii. Signs and symptoms of common types of pesticide poisoning;
 - ix. Emergency first aid for pesticide injuries or poisonings;
 - x. How to obtain emergency medical care;
 - xi. Routine and emergency decontamination procedures, including emergency eye flushing techniques;
 - xii. Hazards from chemigation and drift;
 - xiii. Hazards from pesticide residues on clothing;
 - xiv. Warnings about taking pesticides or pesticide containers home;
 - xv. Requirements of this subchapter designed to reduce the risks of illness or injury resulting from workers' and handlers' occupational exposure to pesticides, including application and entry restrictions, the design of the warning sign, posting of warning signs, oral warnings, the availability of specific information about applications, and the protection against retaliatory acts;
 - xvi. General explanation of the format and content of the pesticide fact sheet (if available from the Department); and
 - xvii. Worker and Handler rights under other State and Federal laws concerning:
 - (1) Hazard communication (written information and training), protection from exposure to pesticides, and field sanitation;
 - (2) Agencies responsible for enforcing State and Federal laws and regulations regulating the use of pesticides; and
 - (3) Procedures for filing complaints to, and obtaining information from, these agencies.
- (d) Except as provided in (d)1 below, if the handler employer assures that a handler possesses an EPA-approved Worker Protection Standard handler verification card, then the requirements of (a) above will have been met.
 1. If the handler employer hires a handler that an EPA-approved Worker Protection Standard handler verification card has not been issued in accordance with (a) above, or has not been issued to the handler bearing the card, or the training was completed more than five years before the beginning of the current month, a handler's possession of that card does not meet the requirements of (a) above.
- (e) When resources become available the Department shall prepare educational pamphlets, written at a fifth grade level, in English and in the native languages of the major groups of handlers working in New Jersey. These pamphlets will be provided to agricultural employers, handler employers, owners, agricultural extension and other agricultural organizations. The pamphlet shall include, but not be limited to, the following areas:
 1. General pesticide health and safety information, preventive practices in the field and in the farm worker residential area, signs and symptoms of pesticide poisoning, first aid and medical care,

- and methods of seeking assistance from state and federal agencies if a pesticide problem occurs;
2. The names and addresses of health providers in the vicinity who are trained in pesticide evaluation and have bi-lingual or multi-lingual staff; and
 3. The rights of handlers to obtain the pesticide information and training pursuant to this subchapter, as well as rights under other federal and state laws.

(f) Every handler employer shall provide the pamphlets prepared pursuant to (e) above (if made available by the Department), to all handlers on the first day of their employment, or at least one day prior to the performance of any handling task. Such pamphlets shall be presented to handlers at least once annually.

(g) The Department may waive the initial recognition, or attendance at the Department's "Train-the-Trainer" course, where an applicant has previously been recognized by another State, Territory or Tribal agency pursuant to the regulations of that State, Territory, or Tribal agency, provided that the Department, by cooperative agreement, has previously recognized such State, Territory or Tribal agency as having adopted a trainer recognition program substantially similar to New Jersey's.

(h) A New Jersey Handler Trainer recognition will be issued pursuant to (c)1 above, if the following conditions are satisfied:

1. The Department receives proof of a valid recognition from any State, Territory, or Tribal agency which meets the requirements in (g) above; and
2. The trainer demonstrates to the Department a knowledge of relevant New Jersey pesticide laws and regulations.

(i) The Department, when it determines that grounds exist, may:

1. Deny an application for recognition as a handler trainer,
2. Revoke recognition as a handler trainer,
3. Suspend recognition as a handler trainer.

(j) Each of the following acts shall constitute a ground for which any of the disciplinary actions described in (i) above may be taken:

1. Failing to receive prior Department approval for a handler training program;
2. Refusing, or after notice, failing to comply with any of the provisions of the Act, or any Order issued by the Department thereto;
3. Training in a manner that may result in harm, injury, or damage to persons, property, or the environment, or a significant risk of such harm, injury, or damage;
4. Making false or fraudulent claims through any form of written or verbal communication, misrepresenting the effects of any pesticide or application methods to be utilized;
5. Issuing false or fraudulent Worker Protection Standard handler training certificates;
6. Failing to keep or falsification of required records;
7. Falsifying, or making misleading statements in the application for handler trainer recognition;
8. Evading or attempting to evade or aiding, abetting, combining with, or conspiring with any person for any purpose which will evade or be in violation of the provisions of the Act or this subchapter; or
9. Providing less information than that required pursuant to this section.

(k) No person who has had their handler trainer recognition revoked or suspended shall train handlers or workers during the time period for which the revocation or suspension is in effect.

(l) Where the Department acts pursuant to (i) above, the Department shall afford a hearing in

accordance with the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1, to any person who is aggrieved by the order and who has applied to the Department for a hearing within 15 days of issuance of the order.

(m) In the event of the issuance by EPA of a final order assessing a civil penalty under section 14(a) of the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. §§ 135 et seq. or a criminal conviction under section 14(b), the Department may suspend or revoke handler trainer recognition of any person so assessed or convicted.

(n) A handler trainer shall keep a training roster for each handler or worker trained in New Jersey. Such roster shall contain the following information:

1. The full name of the handler;
2. The date of training;
3. The name of the trainer;
4. The handler or worker's native language;
5. The verification card number;
6. The handler or worker's birth date; and
7. The place of agricultural employment (if available).

(o) All rosters required to be kept pursuant to (n) above shall be kept for a minimum of five years.

(p) All rosters shall be immediately provided upon request by the Department.

(q) A list of all handlers and workers trained shall be sent to the Department, Pesticide Control Program after each training session within 30 days. This requirement includes the annual employee orientation training.

7:30-12.17 Knowledge of labeling and other site specific information

(a) The handler employer shall assure that before the handler performs any handling activity, the handler either has read the product labeling or has been informed in a manner the handler can understand of all labeling requirements related to safe use of the pesticide, such as signal words, human hazard precautions, PPE requirements, first aid instructions, environmental precautions, and any additional precautions pertaining to the handling activity to be performed.

1. The handler employer shall assure that the handler has access to the product labeling information during handling activities.

(b) Whenever a handler who is employed by a commercial pesticide handling establishment will be performing pesticide handling tasks on an agricultural establishment, the handler employer shall assure that the handler is aware of the following information concerning any areas on the agricultural establishment that the handler may be in, or may walk within one-quarter mile of, and that may be treated with a pesticide or that may be under a restricted-entry interval while the handler will be on the agricultural establishment:

1. The specific location and description of any such areas; and
2. Restrictions on entering those areas.

7:30-12.18 Safe operation of equipment

(a) The handler employer shall assure that before the handler uses any equipment for mixing, loading, transferring, or applying pesticides, the handler is instructed in the safe operation of such equipment,

including, when relevant, chemigation safety requirements and drift avoidance.

(b) The handler employer shall assure that, before each day of use, equipment used for mixing, loading, transferring, or applying pesticides is inspected for leaks, clogging, and worn or damaged parts, and any damaged equipment is repaired or replaced.

(c) Before allowing any person to repair, clean, or adjust equipment used to mix, load, transfer, or apply pesticides, the handler employer shall assure that pesticide residues have been removed from the equipment, unless the person doing the cleaning, repairing, or adjusting is a handler employed by the agricultural or commercial pesticide handling establishment. If pesticide residue removal is not feasible, the handler employer shall assure that the person who repairs, cleans, or adjusts such equipment is informed:

1. That such equipment is contaminated with pesticides;
2. Of the potentially harmful effects of exposure to pesticides; and
3. Of the correct way to handle such equipment.

7:30-12.19 Posted pesticide safety information

(a) When handlers, except those employed by a commercial handling establishment, are on an agricultural establishment and, within the last 30 days, a pesticide has been applied on the establishment or a restricted-entry interval has been in effect, the handler employer shall display, in accordance with (b) through (f) below, pesticide safety information.

(b) A safety poster shall 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, namely 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/State rules to protect workers and handlers, including a requirement for safety training.

(c) 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.

1. The handler employer shall inform the handlers promptly of any change to the information on emergency medical care facilities.

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

1. For forests, 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 handlers and where handlers are likely to congregate or pass by, such as at a decontamination site or an equipment storage site.

- (e) Handlers shall be informed of the location of the information and shall be allowed access to it.
- (f) The information shall remain legible during the time it is posted.

7:30-12.20 Handler personal protective equipment

(a) Any person who performs tasks as a pesticide handler shall use the clothing and PPE specified on the labeling for the use of the product.

(b) Personal Protective Equipment (PPE) means devices and apparel that are worn to protect the body from contact with pesticides or pesticide residues, including, but not limited to, coveralls, chemical-resistant suits, chemical-resistant gloves, chemical-resistant footwear, respiratory protection devices, chemical-resistant aprons, chemical-resistant headgear, and protective eyewear.

- 1. Long-sleeved shirts, short-sleeved shirts, long pants, short pants, shoes, socks, and other items of work clothing are not considered PPE for the purposes of this subchapter and are not subject to the requirements of this section, although pesticide labeling may require that such clothing be worn during some activities.

(c) When personal protective equipment is specified by the labeling of any pesticide for any handling activity, the handler employer shall provide the appropriate PPE in clean and operating condition to the handler.

- 1. When “chemical-resistant” PPE is specified by the product labeling, it shall be made of material that allows no measurable movement of the pesticide being used through the material during use.
- 2. When “waterproof” PPE is specified by the product labeling, it shall be made of material that allows no measurable movement of water or aqueous solutions through the material during use.
- 3. When a “chemical-resistant suit” is specified by the product labeling, it shall be a loose-fitting, one or two piece chemical-resistant garment that covers, at a minimum, the entire body except head, hands, and feet.
- 4. When “coveralls” are specified by the product labeling, they shall be a loose-fitting, one or two piece garment, such as a cotton or cotton and polyester coverall, that covers at a minimum, the entire body except head, hands, and feet. The pesticide product labeling may specify that the coveralls be worn over another layer of clothing.
- 5. Gloves shall be of the type specified by the product labeling. Gloves or glove linings made of leather, cotton, or other absorbent material shall not be worn for handling activities unless such materials are listed on the product labeling as acceptable for such use.
- 6. When “chemical-resistant footwear” is specified by the product labeling, one of the following types of footwear shall be worn:
 - i. Chemical-resistant shoes;
 - ii. Chemical-resistant boots;
 - iii. Chemical-resistant shoe coverings worn over shoes or boots.
- 7. When “protective eyewear” is specified by the product labeling, one of the following types of eyewear shall be worn:
 - i. Goggles;
 - ii. Face shield;
 - iii. Safety glasses with front, brow, and temple protection; or
 - iv. A full-face respirator.
- 8. When a “chemical-resistant apron” is specified by the product labeling, an apron that covers the front of the body from mid-chest to the knees shall be worn.

9. When a respirator is specified by the product labeling, it shall be appropriate for the pesticide product used and the activity to be performed. The handler employer shall assure that the respirator fits correctly.
 10. When “chemical-resistant headgear” is specified by the product labeling, it shall be either a chemical-resistant hood or a chemical-resistant hat with a wide brim.
- (d) The following are exceptions to personal protective equipment specified on the pesticide product labeling:
1. Concerning body protection.
 - i. A chemical-resistant suit may be substituted for “coveralls”, and any requirement for an additional layer of clothing beneath is waived.
 - ii. A chemical-resistant suit may be substituted for “coveralls” and a chemical-resistant apron.
 2. If chemical-resistant footwear with sufficient durability and a tread appropriate for wear in rough terrain is not obtainable, then leather boots may be worn in such terrain.
 3. If chemical-resistant gloves with sufficient durability and suppleness are not obtainable, then during handling activities with roses or other plants with sharp thorns, leather gloves may be worn over chemical-resistant glove liners. However, once leather gloves are worn for this use, thereafter they shall be worn only with chemical-resistant liners and they shall not be worn for any other use.
 4. If handling tasks are performed using properly functioning systems that enclose the pesticide to prevent it from contacting handlers or other persons, and if such systems are used and are maintained in accordance with the manufacturer's written operating instructions, exceptions to labeling-specified PPE for the handling activity are permitted as provided in (d)4i and ii below:
 - i. Persons using a closed system to mix or load pesticides with a signal word of DANGER or WARNING may substitute a long-sleeved shirt, long pants, shoes, socks, chemical-resistant apron, and any protective gloves specified on the labeling for handlers for the labeling-specified PPE.
 - ii. Persons using a closed system to mix or load pesticides other than those in (d)4i above or to perform other handling tasks may substitute a long-sleeved shirt, long pants, shoes, and socks for the labeling-specified PPE.
 - iii. Persons using a closed system that operates under pressure shall wear protective eyewear.
 - iv. Persons using closed systems shall have all labeling-specified PPE immediately available for use in an emergency.
 5. If handling tasks are performed from inside a cab that has a nonporous barrier which totally surrounds the occupants of the cab and prevents contact with pesticides outside of the cab, exceptions to PPE specified on the product labeling for that handling activity are permitted as provided in (d)5i through iv below:
 - i. Persons occupying an enclosed cab may substitute a long-sleeved shirt, long pants, shoes, and socks for the labeling-specified PPE. If a respiratory device is specified on the product labeling for the handling activity, it shall be worn.
 - ii. Persons occupying an enclosed cab that has a properly functioning ventilation system which is used and maintained in accordance with the manufacturer's written operating instructions and which is declared by the manufacturer or by a governmental agency to provide respiratory protection equivalent to or greater than a dust/mist filtering respirator may substitute a long-sleeved shirt, long pants, shoes, and socks for the labeling-specified PPE. If a respiratory protection device other than a dust/mist filtering respirator is specified on the product labeling, it shall be worn.
 - iii. Persons occupying an enclosed cab that has a properly functioning ventilation system which is used and maintained in accordance with the manufacturer's written operating instructions and

which is declared in writing by the manufacturer or by a government agency to provide respiratory protection equivalent to or greater than the vapor or gas removing respirator specified on pesticide product labeling may substitute a long-sleeved shirt, long pants, shoes, and socks for the labeling specified PPE. If an air-supplying respirator or a self-contained breathing apparatus (SCBA) is specified on the pesticide product labeling, it shall be worn.

- iv. Persons occupying an enclosed cab shall have all labeling-specified equipment immediately available and stored in a chemical-resistant container, such as a plastic bag. They shall wear such PPE if it is necessary to exit the cab and contact pesticide-treated surfaces in the treated area. Once PPE is worn in the treated area, it shall be removed before reentering the cab.
- 6. Chemical-resistant gloves shall be worn when entering or leaving an aircraft contaminated by pesticide residues. In the cockpit, the gloves shall be kept in an enclosed container to prevent contamination of the inside of the cockpit.
 - i. Persons occupying an open cockpit shall use the personal protective equipment specified in the product labeling for use during application, except that chemical-resistant footwear need not be worn. A helmet may be substituted for chemical-resistant headgear. A visor may be substituted for protective eyewear.
 - ii. Persons occupying an enclosed cockpit may substitute a long-sleeved shirt, long pants, shoes, and socks for labeling-specified PPE.
- 7. Crop advisors entering treated areas while a restricted-entry interval is in effect may wear the PPE specified on the pesticide labeling for early-entry activities instead of the PPE specified on the pesticide labeling for handling activities, provided:
 - i. Application has been completed for at least four hours.
 - ii. Any inhalation exposure level in the labeling has been reached or any ventilation criteria established by 7:30-12.4(c)3 or in the labeling have been met.
- (e) The handler employer shall assure that PPE is used correctly for its intended purpose and is used according to the manufacturer's instructions.
 - 1. The handler employer shall assure that, before each day of use, all PPE is inspected for leaks, holes, tears, or worn places, and any damaged equipment is repaired or discarded.
- (f) The handler employer shall assure that all PPE is cleaned according to the manufacturer's instructions or pesticide product labeling instructions before each day of reuse. In the absence of any such instructions, it shall be washed thoroughly in detergent and hot water.
 - 1. If any PPE cannot be cleaned properly, the handler employer shall dispose of the PPE in accordance with any applicable Federal, State, or local regulations. Coveralls or other absorbent materials that have been drenched or heavily contaminated with an undiluted pesticide that has the signal word DANGER or WARNING on the label shall not be reused.
 - 2. The handler employer shall assure that contaminated PPE is kept separately and washed separately from any other clothing or laundry.
 - 3. The handler employer shall assure that all clean PPE shall be either dried thoroughly before being stored or shall be put in a well ventilated place to dry.
 - 4. The handler employer shall assure that all PPE is stored separately from personal clothing and apart from pesticide contaminated areas.
 - 5. The handler employer shall assure that when dust/mist filtering respirators are used, the filters shall be replaced:
 - i. When breathing resistance becomes excessive;
 - ii. When the filter element has physical damage or tears;
 - iii. According to manufacturer's recommendations or pesticide product labeling, whichever is more frequent; or

- iv. In the absence of any other instructions or indications of service life, at the end of each day's work period.
- 6. The handler employer shall assure that when gas or vapor-removing respirators are used, the gas or vapor-removing canisters or cartridges shall be replaced:
 - i. At the first indication of odor, taste, or irritation;
 - ii. According to the manufacturer's recommendations or pesticide product labeling, whichever is more frequent; or
 - iii. In the absence of any other instructions or indications of service life, at the end of each day's work period;
- 7. The handler employer shall inform any person who cleans or launders personal protective equipment (PPE):
 - i. That such equipment may be contaminated with pesticides;
 - ii. Of the potentially harmful side effects of exposure to pesticides; and
 - iii. Of the correct way(s) to clean PPE and to protect themselves when handling such equipment.
- 8. The handler employer shall assure that handlers have a clean place(s) away from storage and pesticide use areas where they may:
 - i. Store personal clothing not in use;
 - ii. Put on PPE at the start of any exposure period; and
 - iii. Remove PPE at the end of any exposure period.
- 9. The handler employer shall not allow or direct any handler to wear home or take home PPE contaminated with pesticides.

(g) When the use of personal protective equipment is specified by the labeling of any pesticide for the handling activity, the handler employer shall assure that no handler is allowed or directed to perform the handling activity unless appropriate measures are taken, if necessary, to prevent heat-related illness.

7:30-12.21 Handler decontamination

(a) During any handling activity, the handler employer shall provide for handlers, in accordance with this section, a decontamination site for washing off pesticides and pesticide residues.

(b) The handler employer shall provide handlers with enough water for routine washing, for emergency eye flushing, and for washing the entire body in case of an emergency. At all times when the water is available to handlers, the handler 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.

- 1. When water stored in a tank is to be used for mixing pesticides, it shall not be used for decontamination or eye flushing, unless the tank is equipped with properly functioning valves or other mechanisms that prevent movement of pesticides into the tank.
- 2. The handler employer shall provide soap and single-use towels at each decontamination site in quantities sufficient to meet handlers' needs.
- 3. The handler employer shall provide one clean change of clothing, such as coveralls, at each decontamination site for use in an emergency.

(c) The decontamination site shall be reasonably accessible to and not more than one-quarter mile from each handler during the handling activity; or at the site of a required toilet, whichever is closer.

- 1. For mixing activities, the decontamination site shall be at the mixing site.
- 2. The decontamination site for a pilot who is applying pesticides aurally shall be in the airplane or at the aircraft's loading site.
- 3. When handling activities are performed more than one-quarter 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 handler employer may permit handlers 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 at the decontamination site located at the nearest place of vehicular access.
4. The decontamination site shall not be in an area being treated with pesticides or in an area that is under a restricted-entry interval, unless:
- i. The decontamination site is in the area where the handler is performing handling activities;
 - ii. The soap, single use towels, and clean change of clothing are in enclosed containers; and
 - iii. The water is running tap water or is enclosed in a container.

(d) To provide for emergency eye flushing, the handler employer shall assure that at least 1 pint of water is immediately available to each handler who is performing tasks for which the pesticide labeling requires protective eyewear. The eye flush water shall be carried by the handler, or shall be on the vehicle or aircraft the handler is using, or shall be otherwise immediately accessible.

(e) At the end of any exposure period, the handler employer shall provide, at the site where handlers remove PPE, soap, clean towels, and a sufficient amount of water so that the workers may wash thoroughly.

7:30-12.22 Emergency assistance

(a) If there is reason to believe that a person who is or has been employed by an agricultural establishment or commercial pesticide handling establishment to perform pesticide handling tasks has been poisoned or injured by exposure to pesticides as a result of that employment, including, but not limited to, exposures from handling tasks or from application, splash, spill, drift, or pesticide residues, the handler employer shall:

1. Make available to that person prompt transportation from the place of employment or the handling site to an appropriate emergency medical facility; and
2. Provide to that person or to treating medical personnel, promptly upon request, any obtainable information on:
 - i. The product name, EPA registration number, and active ingredients of any product to which that person may have been exposed;
 - ii. The antidote, first aid, and other medical information from the product labeling;
 - iii. The circumstances of handling of the pesticide; and
 - iv. The circumstances of exposure of that person to the pesticide.

7:30-12.23 (Reserved)