Focus on Pesticides

According to the EPA, a pesticide is defined as "any substance or mixture of substances intended for destroying, repelling, or mitigating any pest." Most of us know them as insecticides, herbicides, fungicides, and other chemicals that are applied to crops. We also know that pesticides are poisons designed to kill living things. Exposure to pesticides – even at low levels – can cause health risks. As this issue of From the Ground Up shows, researchers and advocates are putting the pieces together to help make the fields and our foods safer for all.

In April of this year, a coalition of farmworker advocates and environmental groups filed a lawsuit against the Environmental Protection Agency (EPA) to stop the continued use of four deadly organophosphate pesticides. These pesticides were derived from nerve gas developed during World War II, and some of them have been found in California’s rural schoolyards and homes, Sequoia National Park, and Monterey Bay.

Dying in my Father’s Arms/Muriéndose en los Brazos de mi Papá

How my family lost a loved one because of pesticides
Elizabeth Arias, 2007 SAF Intern

When I was living in California with my family a year and a half ago, I lived through something that I sincerely wouldn’t wish on anyone. My parents and two of my brothers work in the fields like the majority of people that come from Mexico and don’t know the language; for them there is work in the fields. When the summer came along I decided to work in the field during vacation – I had fun working there but it was a little difficult. Nothing bad had ever happened, but one day the unexpected and tragic occurred. ...continued on p. 2

Muriéndose en los Brazos de mi Papá

Como mi familia perdió a un ser querido a causa de los pesticidas
Elizabeth Arias, 2007 SAF Intern

Hace un año y medio cuando vivía en California con mi familia yo viví una experiencia que sinceramente no se la deseo a nadie. Mis padres y dos de mis hermanos trabajan en el campo como la mayoría de las personas que vienen de México y no saben el idioma, para ellos hay trabajo en los campos. Cuando llegó el verano yo decidí trabajar en el campo mientras estaba de vacaciones; me divertía trabajando ahí pero era un poco pesado. Nunca había pasado nada pero un día lo inesperado y trágico llegó. ...continuado en p. 2
It was a normal day like any other for all the people who work in the fields. We all began work very early, around 6 in the morning. What no one knew was that the field had been sprayed with pesticides a few hours before we began to work. We didn't realize this because no one had warned us at all, not even the crewleader. The smell of the chemicals was very strong and I began to feel dizzy and got a bad headache. One of my cousins approached me and said he felt very dizzy, and I told him that I felt the same, but that we had to keep working.

Later on it was time for our first break at 9 am and we had 15 minutes to drink water or eat something. I sat next to my dad, my sister, and my cousin. My cousin didn't eat anything. Later we went back to work and when we got started in the furrow my cousin fainted. I yelled at my dad and he came quickly. When we got to where my cousin was, it was like he was suffocating— he couldn't breathe. We didn't know what to do. It was a horrible moment because my dad desperately tried to give him first aid; he held him in his arms and tried to help him. My father desperately held him and shouted: “Nephew I'm right here, don't go. You are young and strong. Your son needs you to be strong.”

But my cousin couldn't even speak. My father sat down in the furrow with my cousin in his arms and hugged him hard. My cousin only gave one last breath and he was gone, dying in the arms of my father. My father began to cry very hard and no one was able to contain their sadness. And even now with tears in my eyes I can remember this terrible tragedy that I'll carry with me for the rest of my life.

...continued from p. 1

Era un día normal como cualquier otro para todas las personas que trabajan en el campo. Todos comenzamos a trabajar muy temprano; eran como las seis de la mañana. Lo que nadie sabía era que el campo lo habían esprayed con pesticidas unas horas antes de que comenzáramos a trabajar. Nosotros no nos dimos cuenta de esto porque nadie nos avisó nada, ni siquiera el mayordomo. Era muy fuerte el olor de los químicos y yo me comencé a sentir mareado y yo le dije que yo también me sentía igual pero que teníamos que seguir trabajando.

Luego llegó la hora del primer break a las nueve y teníamos quince minutos para tomar agua o comer algo. Yo me senté junto a mi papá, mi hermana, y mi primo. Mi primo no comió nada. Luego regresamos a trabajar y cuando comenzamos en el surco mi primo se desmayó. Yo le grité a mi papá y el vino rápidamente. Cuando llegamos donde estaba mi primo, el estaba como ahogándose, no podía respirar. Nosotros no sabíamos que hacer. Fue un momento horrible porque mi papá desesperado trataba de darle reparación; lo sostuvo en sus brazos tratando de ayudarlo. Mi padre desesperado lo apretaba y le gritaba: “Sobrino aquí estoy, no te vayas. Tú estás joven, fuerte. Tu niño te necesita fuerte.”

Pero mi primo ni siquiera podía hablar. Mi papá se sentó en el surco con mi primo en sus brazos y lo abrazó muy fuerte. Mi primo solo dio un último suspiro y se fue, muriéndose en los brazos de mi padre. Mi padre comenzó a llorar muy fuerte y nadie se pudo contener.

Y aun ahora con lagrimas en mis ojos recuerdo esta terrible tragedia que la voy a llevar por toda mi vida. Mi corazón se...continued on p. 7
On April 23, a special task force appointed by Governor Easley issued its recommendations regarding the issue of farmworker pesticide exposure. The task force was established earlier this year in response to a series of well-publicized and horrific stories regarding the exposure of North Carolina farmworkers and their families to dangerous levels of pesticides – particularly by the giant vegetable grower, Ag Mart.

Initially, the group was a welcome addition to the landscape on this long-neglected issue. Unfortunately, last week’s report and recommendations fell well short on several important fronts. Indeed, some of the recommendations include things that have already been mandated by the federal government or otherwise implemented. As such, though better than nothing, the report seemed mostly to highlight the basic workplace protections that most farmworkers (and their families) are denied and to reemphasize their second class status in the American workplace.

Fawn Pattison of the group Toxic Free North Carolina says of the recommendations: “Within the report’s recommendations you’ll find budget requests for several of the agencies that were represented on the Task Force, ideas for the expansion of many voluntary and educational programs, and very little reform. Only one of the recommendations brought by farmworker advocates, a provision that would outlaw retaliation against workers who report workplace safety problems, was adopted by the Task Force.”

Moving forward

In April, Governor Easley decried the conditions under which thousands of workers in the state’s poultry packing industry labor. “It’s just horrible,” he said. “This cannot be allowed to continue regardless of what budget situations are.” Unfortunately, the Governor’s description is also true for much of the rest of the industrial chain that puts food on most North Carolinians’ dinner plates each night – whether it’s in a meat packing factory in Tar Heel or on the fields of a tomato farm in Brunswick County.

If North Carolina is going to make real headway in attacking such deeply ingrained and daunting problems, state leaders will need to muster the same level of passion and commitment that the Governor hinted at when discussing the poultry worker scandal. Ultimately, this means demanding more than the kind of incremental change that the Governor’s own pesticide task force put forth this spring.
Pesticide Exposure and Farmworker Health Research

Dr Thomas Arcury, Wake Forest University
School of Medicine

Our ability to reduce pesticide exposure and their negative health effects on farmworkers requires research to document the types and source of exposure that workers experience. Research in Florida, North Carolina and South Carolina has documented knowledge and perceptions among farmworkers about their pesticide exposure at home and on the job; it has evaluated the enforcement of training and field sanitation regulations for farmworker pesticide safety; and it has examined health outcomes for farmworkers that result from pesticide exposure. The results of this research show that farmworkers have little knowledge of the pesticides used where they work and live, and often do not receive the necessary training to work safely with pesticides. Research results also indicate that farmworkers and their children may suffer neurological deficits due to their pesticide exposure.

Research on biological and environmental measures of farmworker pesticide exposure on the East Coast has been limited to small samples of households and of children. Despite the small samples, these studies present clear evidence that farmworkers and their families are exposed to a wide variety of pesticides. Pesticides were present in 39 out of 41 farmworker dwellings in western North Carolina, with residential pesticides found in 39 houses, and agricultural pesticides found in 20 houses. The pesticides included organochlorine insecticides in 17 dwellings, organophosphorus insecticides in 32 dwellings, carbamate insecticides in 15 dwellings, pyrethroid insecticides in 38 dwellings, and herbicides in 10 dwellings.

A separate study of 60 children, aged 1 to 6 years, in eastern North Carolina farmworker families documented the levels of organophosphorus (OP) pesticide urinary metabolites, and of metabolites for 14 specific insecticides and herbicides. These children had relatively high levels of urinary metabolites compared to national reference data from the 1999-2000 National Health and Nutrition Examination Survey. Specific OP pesticide metabolites were detected in a substantial proportion of children.

Investigators from Wake Forest University School of Medicine, North Carolina Farmworkers Project, Greene County Health Care, Inc., Columbus County Health Care, Inc., and Student Action with Farmworkers have done new research that will help us further document biological measures of farmworker pesticide exposure. This research collected biomarker data four times from 287 farmworkers at monthly intervals during 2007. The laboratory analysis of these data is complete and results will be published soon.

In 2005 several farmworker families employed in North Carolina by Ag-Mart, Inc., a Florida produce giant, gave birth to babies with severe birth defects. Upon investigation, hundreds of violations of state pesticide laws and federal Worker Protection Standards were charged on Ag-Mart’s farms in both NC and FL, setting the record for the highest pesticide fine in North Carolina history. Repeated exposure to unsafe amounts of pesticides during pregnancy is the suspected culprit in this case, which has exposed many of the flaws in our system of worker protection and pesticide enforcement, including:

- **No record-keeping requirement.** NC Pesticide Law does not require agricultural employers to keep records of their compliance with federal Worker Protection Standards that are designed to protect workers from excessive exposure to pesticides. The Farmworker Advocacy Network (FAN) contends that Ag-Mart slipped through this very loophole earlier this year when an administrative law judge recommended dismissing the majority of the charges in the case on the grounds that Ag-Mart’s own records were not accurate.

- **No protection from retaliation.** Agricultural workers cannot file confidential complaints to the state about violations of state or federal standards for pesticide safety and fair labor. Workers also risk being fired or suffering other forms of retaliation from their employers if they complain, because farmworkers are not covered in the Retaliatory Employment Discrimination Act (REDA). Without these protections, farmworkers cannot safely report pesticide misuse or worker mistreatment in the workplace.

- **Low fines and more loopholes.** Fines for pesticide violations are extremely low, making it cheaper for big employers to simply flout the rules and pay fines than to actually comply with the law. While other pesticide users, such as golf courses, must pay $2,000 per pesticide violation, agricultural employers pay only $500, and the state must prove that the violation was “willful” in order to collect.

North Carolina’s enforcement system relies on the honesty of the majority of growers who carefully comply with the Worker Protection Standard, and lets bad actors like Ag-Mart off the hook when they flout our rules. When there are no consequences, bad actors can poison workers in our state without fear of retribution – a state of affairs that should be intolerable to consumers as well as to workers.

Farmworker Advocacy Network (FAN), is a coalition of legal, labor and environmental groups dedicated to protecting the rights and health of farmworkers. FAN is a national leader in the policy advocacy process. Currently, we are focusing on farmworker housing, workers’ rights, and pesticide safety. FAN’s mission is to build a collaborative, diverse movement that promotes healthy, safe working conditions for farmworkers, including affordable, safe housing.

### Farmworker Safety Before and After Ag-Mart

**Before: Ag-Mart’s**

- **100 violations in 2004**
- **Record breaking pesticide fine: $20,000**

**After: After the case was closed in 2008**

- **11 violations in 2008**
- **Record breaking pesticide fine: $100,000**

**The Farmworker Advocacy Network Calls for the following changes:**

- Protect farmworkers from retaliation under the Retaliatory Employment Discrimination Act (REDA);
- Increase pesticide fines from $500 to $2,000 per violation for the worst offenses and eliminate the unfair “wilfullness” standard;
- Allow workers to make confidential complaints to the NC Department of Agriculture when pesticide violations occur at work, as the Department of Labor does today for workplace discrimination;
- Allocate increased funding to several agencies for pesticide education, training and enforcement;
- Make some improvements to current record-keeping standards; and
- Protect farmworkers from retaliation under the Retaliatory Employment Discrimination Act (REDA).

However, as of 2009, no changes have taken place.

### Issues and Recommendations

- **Record keeping:**
  - All pesticide laws require records to be kept.
  - Implement a new complete record-keeping program.

- **All pesticide laws:**
  - Ag-Mart off the hook already.

- **Inadequate enforcement:**
  - Increase funding for pesticide enforcement.
  - Remove loopholes for pesticide enforcement.

- **Prohibit retaliation:**
  - Remove “wilfullness” standard.
  - Improve record-keeping.

**Sonny Perdue:**

- **Secretary of Agriculture:**
  - Ag-Mart was called to task.
  - 2008 Ag-Mart pesticide fine was a record setting $100,000.

**Ag-Mart:**

- **Florida produce giant:**
  -Reported to the state thousands of times.
  - Violated state and federal laws.

**FAN:**

- **Interim executive director:**
  - Dr. Mary B. Smith.
  - FAN is a coalition of legal, labor and environmental groups.

**North Carolina’s enforcement system:**

- **Honesty still the rule:**
  - FAN contends that Ag-Mart slipped through this very loophole earlier this year when an administrative law judge recommended dismissing the majority of the charges in the case on the grounds that Ag-Mart’s own records were not accurate.

**FAN**

- **Weakened system:**
  - North Carolina’s enforcement system relies on the honesty of the majority of growers who carefully comply with the Worker Protection Standard.
Clear Choice for Reform

The Farmworker Advocacy Network Calls for the following changes:

• Protect farmworkers from retaliation under the Retaliatory Employment Discrimination Act (REDA);
• Increase pesticide fines from $500 to $2,000 per violation for the worst offenses and eliminate the unfair “wilfullness” standard;
• Provide adequate showers for pesticide decontamination and access to an emergency telephone in worker housing.

However, more needs to be done to ensure that a case like Ag-Mart never happens in NC again, including:
• Require employers to document when workers are sent back into fields that have been sprayed;
• Allow workers to make confidential complaints to the NC Department of Agriculture when pesticide violations occur at work, as the Department of Labor already allows;
• Increase pesticide fines from $500 to $2,000 per violation for the worst offenses and eliminate the unfair “wilfullness” standard;
• Provide adequate showers for pesticide decontamination and access to an emergency telephone in worker housing.

The Farmworker Advocacy Network (FAN) contends that workers from excessive exposure to pesticides. The federal Worker Protection Standards that are designed to protect workers from excessive exposure to pesticides are not covered in the Retaliatory Employment Discrimination Act (REDA). Without these protections, farmworkers cannot safely report workplace pesticide misuse or worker mistreatment in the workplace.

Discrimination Act (REDA). Without these protections, farmworkers cannot safely report workplace pesticide misuse or worker mistreatment in the workplace. Discrimination Act (REDA). Without these protections, farmworkers cannot safely report workplace pesticide misuse or worker mistreatment in the workplace. Discrimination Act (REDA). Without these protections, farmworkers cannot safely report workplace pesticide misuse or worker mistreatment in the workplace. Discrimination Act (REDA). Without these protections, farmworkers cannot safely report workplace pesticide misuse or worker mistreatment in the workplace. Discrimination Act (REDA). Without these protections, farmworkers cannot safely report workplace pesticide misuse or worker mistreatment in the workplace.

Take Action Today!

1) Write a letter to the editor of your local paper expressing your concern about the AgMart case and your support for farmworker health and safety. You can submit your letter to the editor of your local paper in NC or to the Raleigh News & Observer. Your letter should be short, compelling, and personal—keep it 250 words or less.

2) Send a postcard to your legislator. Contact SAF to request pesticide campaign postcards and other related materials.

3) Get informed. Schedule a presentation about farmworkers, pesticides, and the pesticide campaign. Email us at mwiggins@duke.edu to set up a presentation today!

4) Meet with your NC representatives. To sign up for help arranging and preparing for a meeting with one of your state representatives during the summer or fall with others in your district, go to: http://www.pested.org/involved/actionalerts/ambassadors.html.

FAN is a coalition of legal, labor, health, advocacy and immigrant assistance groups that work together to advance justice for farmworkers and their families. FAN works to identify policy issues; monitor government and other agencies serving and/or enforcing regulations affecting farmworkers; and bring farmworkers’ voices to wage and hour issues, and pesticide safety in NC.
Improvements Needed in the Federal Worker Protection Standard

Ms Shelley Davis and Dr Pamela Rao- Farmworker Justice

The Environmental Protection Agency (EPA) estimates that 10,000–20,000 farmworkers suffer acute effects of pesticide poisoning each year, and many more experience long term health problems from chronic exposure. Yet pesticide-related injuries could be reduced or even prevented by improved regulation of pesticide product and work practices. The EPA is now considering changes to the Worker Protection Standard (WPS), the basic set of federal regulations governing pesticide safety in the agricultural workplace. First implemented in 1996, the WPS covers employees who handle agricultural pesticides as well as those who cultivate and harvest crops on farms and in nurseries, greenhouses and forests. For pesticide handlers and applicators, the WPS mandates the use of personal protective equipment (PPE), training before handling activities begin and access to the pesticide label. For workers who do not directly mix or apply pesticides, it establishes restricted entry intervals (the time period after application during which no routine hand labor can take place), requires training by the sixth day in a treated area (to be repeated once every 5 years) and mandates worker notification of treated areas. Decontamination water and transportation to a medical facility must be provided to any worker suffering from acute exposure.

Fifty-five farmworker, health, labor, environmental and religious groups are currently urging the EPA to substantially improve the WPS by making the following changes:

**Problem:** Field workers are only entitled to a brief pesticide safety training once every five years.

**Solution:** Farmworkers should receive a comprehensive, interactive training every year before they begin to work in pesticide treated areas. This training should cover:
- safety measures workers take on the job;
- ways workers can defend their rights when required protections are not provided;
- the potential health risks facing farmworker children & spouses from pesticide residues brought home on workers’ skin, clothing or boots; &
- ways to protect workers & family members from pesticide exposures.

**Problem:** Farmworkers do not receive information on the specific health effects of the pesticides they work with.

**Solution:**
- Training should include information on the short- & long-term health effects of the specific pesticides used at a worksite.
- This information should be provided in a limited-literacy crop booklet so farmworkers can educate themselves, their families & their health care providers.

**Problem:** Farmworkers have no way to verify whether the restricted entry interval has expired.

**Solution:**
- Every treated field should have a posted sign clearly indicating the restricted entry period.

**Problem:** Farmworkers often have no place to wash & change clothes before and after work. As a result, they return home with pesticide residues on their skin, clothes and shoes. These residues put the health of farmworker families at risk.

**Solution:**
- Employers should provide a changing area where farmworkers can wash & change into clean clothes before returning home.

**Problem:** Many workers who mix, load or apply pesticides are injured by a particular group of insecticides. A blood test can detect this exposure.

**Solution:**
- Employers should provide free medical testing & monitoring to pesticide handlers.
- Handlers who must stop working due to overexposure should receive their full salaries until they are completely well & able to return to work.

**Problem:** Handlers need access to label information in order to prevent injury to themselves, others, & the environment, yet many handlers cannot read the labels because they are only in English.

**Solution:**
- Pesticide manufacturers should be required to produce pesticide labels in Spanish & other languages.
- Growers should provide handlers access to these labels & someone to read them if the handler cannot read.

The Worker Protection Standard is currently under consideration by the EPA, which anticipates proposing new regulations in 2010. Concerned individuals should submit comments to the EPA during this process—Farmworker Justice will post a notice on its website soon (www.farmworkerjustice.org) with information on when and how to submit comments soon.

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EPA has documented that children are especially susceptible to poisoning from organophosphates. Exposure can cause dizziness, vomiting, convulsions, numbness in the limbs, loss of intellectual functioning, and death. Some organophosphates also cause hormone disruption, birth defects, and cancer.

EPA has long recognized that the four organophosphates can poison farmworkers, but has decided that growers could continue using these poisons without considering the risks posed to rural children and families when they drift into schoolyards, outdoor play areas, and homes.

**How Bad Are They?**

The four poisons at issue in the lawsuit are all organophosphate (OP) pesticides. They are acutely toxic and cause systemic illnesses to humans and wildlife, including muscle spasms, confusion, dizziness, loss of consciousness, seizures, abdominal cramps, vomiting, diarrhea, cessation of breathing, paralysis, and death. Acute poisonings can also cause long-term effects, such as permanent nerve damage, loss of intellectual functions, and neurobehavioral effects. Learn more about Methidathion, Oxydemeton-methyl, Methamidophos, and Ethoprop online at www.panna.org.
my heart falls apart when I remember that moment—because it was the hardest moment of my life, when I was a witness to the death of my family member. At just 22 years old he said farewell to this world, without meeting his son, and all because of the irresponsibility of the owners of many companies that don’t show precaution and that don’t care about the lives of their workers.

I wouldn’t want any others to pay as high a price as my cousin paid, just because they want to work, to get ahead, and to give a better life to their family. We’re not animals nor objects that they can treat like trash. We’re people like any other with the desire to get ahead and have a better quality of life. It is important to be conscious and to value the arduous work of farmworkers, because they are risking their lives to feed their families. They bring food to our tables and we shouldn’t be ignorant of that. Who can eat heartily knowing that behind their food there is fatigue, tragedies, and even death?

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destroza cuando recuerdo este momento porque fue la experiencia más fuerte que he tenido en mi vida, porque fui testigo de la muerte de un miembro de mi familia. Con tan solo 22 años de edad se despidió de este mundo sin conocer a su hijo, por la irresponsabilidad de los dueños de muchas compañías que no toman precauciones y que no les importa la vida de sus trabajadores.

No me gustaría que muchas personas pagaran un precio tan grande como el que mi primo pagó, solo por el hecho de querer trabajar, superarse, y darle una mejor vida a su familia. No somos animales ni objetos para que nos traten como basura, somos personas como cualquier otra con el deseo de superarse y tener una mejor calidad de vida. Hay que estar conscientes y valorar el arduo trabajo de los campesinos porque estas personas que arriesgan sus vidas para poder mantener a sus familias son las que brindan alimentos a nuestras mesas, no somos personas ignorantes. ¿Quién puede comer a gusto sabiendo que detrás de los alimentos provenientes del campo hay cansancio, tragedias e incluso la muerte?

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**Biggest Farmworker Awareness Week Ever!**

From March 30–April 5, 2008, we saw over 350 Farmworker Awareness Week events in 134 U.S. cities and more than 30 states at well over 100 colleges, universities and high schools!

Thanks to the amazing organizing efforts of individuals around the country, well over 30,000 people took part in Farmworker Awareness Week events this year!

On behalf of everyone at Student Action with Farmworkers, thank you for taking action to educate your community about farmworkers!

With the help of our 17 co-sponsors and many more people working on a local level, we were able to raise a strong and unified voice for justice in agriculture!

Read the full report at www.saf-unite.org

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**Burger King Campaign Victory!**

On May 23rd, 2008 the Coalition of Immokalee Workers and the Burger King corporation signed an agreement that extended Fair Food principles to the world’s second-largest hamburger chain and ended a long campaign that had grown increasingly tense in its final months.

At the press conference Amy Wagner of Burger King said, “We apologize for any negative statements about the CIW or its motives... and now realize those statements were wrong... Today we turn a new page in our relationship and begin a new chapter of real progress for Florida farmworkers.”

Burger King agreed to pay 1.5 cents more per pound of tomatoes it buys from Florida growers, with a penny to workers and the rest to growers to help cover additional costs they might incur and to encourage their participation.

Find out more about this historic victory and to see who’s the next target in the Campaign for Fair Food at www.ciw-online.org!

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**Save the Date!**

**20th Annual East Coast Migrant Stream Forum**

October 23-25, 2008

Providence Biltmore Hotel, Providence, Rhode Island

Produced by the North Carolina Community Health Center Association

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