

**Worker Protection Standard (WPS):
Application Exclusion Zone not on the Agricultural Establishment's Property
Oregon Department of Agriculture**

Scenario 1: Growers/applicators who use airblast sprayers are farming adjacent to public transportation corridors, which may include public roads or community bike trails. Because the grower has either planted tall dense hedgerows, or there is naturally occurring tall dense vegetation between the application site and the public transportation corridor, the applicator can not see if anyone is on the road or on the bike trail etc.

Question: In this limited visibility scenario, how do applicators ensure compliance with the Application Exclusion Zone (AEZ) requirements, for the portion of the property that is not on the agricultural establishment?

Response*: When applying a pesticide near establishment borders where other people may be in the proximity of the on-going application (off the establishment), an applicator should do the following:

- Suspend the application: If people are present, pause the application. (This is the WPS requirement.)
 - If the applicator thinks there is a reasonable chance of a car or bike passing through the AEZ when applying a pesticide near a road, the applicator can comply with the WPS requirement to temporarily suspend the application by pausing before making the pass along the road – and then following the next two steps.
- Evaluate: Evaluate the conditions and ensure you can continue the application safely.
- Resume: Resume the application only if you are confident you can continue the application without it resulting in contact with any nearby workers or other persons.

It is acknowledged that certain types of vegetative structures will help impend possible drift. However, to insure that exposure does not occur, applicators should only apply when wind is not blowing toward the road, bike trail or other types of public transportation corridors.

In addition, it is suggested that the applicator only make applications when there is the lowest probability of people being present in the public transport corridor. For example when farming near a bike trail surrounded by dense vegetation, conduct applications late in the evening or early in the morning verses on a weekend afternoon.

Even if dense vegetation is present between the application site and public transport corridor, if the applicator is aware of the presence of unprotected people within the AEZ, he/she must suspend their application, and only resume when the people are no longer within the AEZ or the applicator can ensure that the application will not contact the people.

Bottomline: the applicator is required to temporarily suspend the application if people are in the public transport corridor and to take all reasonable and feasible steps to insure that possible exposure to unprotected people in the public transport corridor does not occur.