



Regulatory Inconsistency

The Unintended Consequences

Indiana

+ **Legislators heard that general use (non-restricted) pesticides are safe.**

“Anybody can purchase and use them”

*original bill removed all cert. requirements EXCEPT federal

Deregulation: Cause and Effect



Deregulation: Cause and Effect

**What hasn't
changed**

**Ag Users WPS
40 CFR 170**

**Employer
Responsibility**

Deregulation: Cause and Effect

+ Ag Users WPS 40 CFR 170

Training (handler)

PPE

Decontamination

Records

*REGARDLESS OF PESTICIDE CLASSIFICATION



**The employer of the applicator
in this enclosed cab must
provide protections**

Deregulation: Cause and Effect

+ Occupational Users

**State deregulation to the federal level (40 CFR 171)
could mean lack of employer responsibility**

Deregulation: Cause and Effect

+ Occupational Users

40 CFR 171 **ONLY** applies to
restricted use pesticides

40 CFR 170 **ONLY** applies to
ag-use pesticides

In Many States, occupational
users (green industry, pest
control, ROW) use **ONLY** non-
restricted pesticides

Deregulation: Cause and Effect

+ Occupational Users



Deregulation: Cause and Effect

+ Occupational Users



Products with both AG and non-ag uses.

+ Herbicides

+ Insecticides

Multiple Use Sites:

For control of many broadleaf weeds and brush control in corn (field, pop and sweet), sorghum (Milo), soybeans (preplant), small grains (barley, millet, oats, rye, wheat), rice, sugarcane, fallow land, grasses, stone fruits and nut orchards, brush control, pastures, rangelands, forest management and in non-crop areas such as lawns and ornamental turf, drainage ditchbanks, fence rows and rights-of-way. Also for aquatic weed control, control of trees by injection, and tank mixes.

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Same Product Two Standards

- + Turf
- + Aquatic
- + ROW

No employer requirements



Same Product Two Standards

+ Occupational Users



Same **ACTIVE** ingredients, two standards

+ **Fipronil**

+ **Bifenthren**

+ **Glyphosate**

**No employer requirements
when not used in Ag (WPS)**



Indiana

+ **Deregulation removed employer/supervisor responsibility (non-ag)**

No labels

PPE no longer required to be provided

Contact with supervisor not required

Indiana

+ Deregulation removed employer/supervisor responsibility (non-ag)

No site specific instructions

Enforcement focus > applicator (not supervisor)



**Is the sky
falling?**

Indiana Businesses

- + Still providing PPE**
- + Still providing OJT**
- + Currently no enforcement cases**

Inconsistency in the Name of Regulatory Relief



Inconsistency in the Name of Regulatory Relief

+Deregulation

+MAHA

Calley Means, Dept. of Health and Human Services

- **"Obviously it's because of environmental toxins. We produce and ingest 25% of the world's pesticides," Means said at an event in D.C. launching the MAHA institute. "The leading herbicides and pesticides that we use in the United States — many of them are phased out or banned in every other country in the world."**

Zen Honeycutt, Executive Director Moms Across America

“This administration has done something that no other administration has ever done, which is to acknowledge the impact of toxic chemicals and products in our environment and in our society that are contributing to our physical and mental and reproductive health crisis”

Tension

Both deregulation AND the banning of pesticides are viewed favorably by the same people.

How do we reconcile the differences?



Is there opportunity for change?



Discussion

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- + The views presented here do not represent the views of the Office of Indiana State Chemist or Purdue University. Void where prohibited by law, not valid in Rhode Island, California...No purchase necessary.