

Florida Agricultural Worker Safety Act (FAWSA)

It is the intent of the Legislature to ensure that agricultural workers employed in the state of Florida receive protection from agricultural pesticides. The Legislature intends to ensure that agricultural workers be given information concerning agricultural pesticides.



The Florida Department of Agriculture and Consumer Services shall, to the extent that resources are available, continue to operate under the United States Environmental Protection Agency regulations regarding the labeling Requirement for Pesticides and Devices, 40 CFR part 156 and the Worker Protection Standard, 40 CFR part 170, which the department adopted by rule during 1995 -1996 fiscals year and published in the Florida Administrative Code. Any provision of this part not preempted by federal law shall continue to apply.

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Florida Department of Agriculture
and Consumer Services

PESTICIDE PROVISIONS

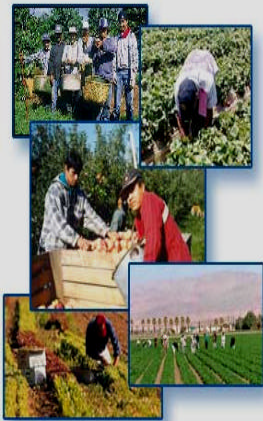
ADAM H. PUTNAM, COMMISSIONER

REV. FEBRUARY 2008

Important Act provisions ...

Summary of the pesticide Provisions of the Florida Agricultural Worker Safety Act

The pesticide provisions of the Florida Agricultural Worker Safety Act, or FAWSA, are signed into Law in May 2004, are designed to ensure that information is made available to farm workers about specific hazards associated with the use of agricultural pesticides.



The law became effective on July, 2004 and is being implemented and enforced by the Florida Department of Agriculture and Consumer Services ("the Department).

The provision of this law that concern pesticides and modify Chapter 487, F.S., are as follows:

- Pesticide dealers, distributors, manufacturers, and importers selling agricultural pesticides must provide a Material Safety Data Sheet (MSDS) in printed or written format to the purchaser upon initial purchase of each agricultural product and upon first purchase after an MSDS has been updated.
- Agricultural employers must make available to farm workers upon request either an MSDS or Fact sheet approved by the state or federal government in written format which provides information about the impacts of the use of the agricultural pesticide.
- The Department must make available to trainers a one page general agricultural safety sheet. The safety sheet must be in a language understood by the worker and must include:
 1. Illustrated instructions on preventing pesticide exposure and
 2. Toll free telephone numbers to the Florida Poison Control Centers.
- The safety sheet are already available from the Department in English, Spanish, and Creole and is provided to trainers upon request to distribute to workers during training pursuant to the Worker Protection Standard (WPS).
- The FAWSA prohibits the agricultural employer from taking any retaliatory action (see definition below) against employees who attempt to exercise their rights under this bill.
- Agricultural workers who have been subject to retaliatory action, if the retaliatory action is predicated on the disclosure by a worker of an illegal action, policy, or practice, the worker may not be required to show that the disclosure was under oath or in writing of the illegal action, policy or practice.

The Department is Required to monitor all complaints received and report its findings to the Legislature on or before October 1, 2008. The report will include descriptions and summaries of the circumstances surrounding the complaints and subsequent actions taken.



For more information on FAWSA visit the following website:

http://www.flsenate.gov/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=Ch0487/PART02.HTM