

NEWSLETTER

Volume 50

Mar 08, 2022

ResponsibleAG

Chlorpyrifos Ban Sets Precedent, Other Pesticide Regulations

Richard Gupton, Senior Vice President for Public Policy and Counsel at the Agricultural Retailers Association

Richard Gupton, senior vice president for public policy and counsel at the Agricultural Retailers Association (ARA), shares additional insights on potential top compliance issues and the regulatory environment for 2022. This is the second in a series of ResponsibleAg newsletter articles.

Richard Gupton says stepped-up efforts by DOT, EPA and OSHA during the next couple of years could have costly implications for ag retailers, farmers and the entire ag industry without providing any improvement in safety. One issue particularly concerning to ARA and many other agricultural organizations is EPA’s decision to ban chlorpyrifos use on all food crops grown in the United States.

When banning chlorpyrifos, Gupton says, EPA did not follow the process under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Science and data-based safety standards weren’t factors in making the decision. Instead, the court ruled EPA should revoke food tolerances for food crops versus following existing pesticide statutes under FIFRA that outline how pesticides are regulated in the U.S. Current legislation in Congress could significantly weaken FIFRA, ban a whole class of pesticides, including organophosphates, and allow local governments to ban pesticides. **“We’re working to ensure future decisions are science-based and not based on politics,” says Gupton.** ARA and 20 additional agriculture groups are suing EPA over the chlorpyrifos ban.

On the Positive Side – OSHA Updating Lockout/Tagout Regulations to Match Current Practices

The majority of ag retailers today use technology to remotely shut down valves in emergency situations, making the workplace significantly safer for employees. Gupton anticipates that sometime this year OSHA will update its lockout/tagout regulations to reflect the safer practice the industry is following.

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About 2,000 workers sustain job-related eye injuries each day

- Flying or falling objects
- Tools
- Chemicals
- Particles & Sparks

90% could have been avoided by wearing eye protection

March is Workplace Eye Wellness Month: Take Steps to Protect Employees’ Vision

Did you know that every single day about 2,000 Americans suffer an eye injury on the job? That’s according to the National Institute for Occupational Safety and Health (NIOSH). Just as astonishing is that most injuries occur when eye protection is worn but is not appropriate for the task or is ill-fitting. Many times, eye protection isn’t worn at all.

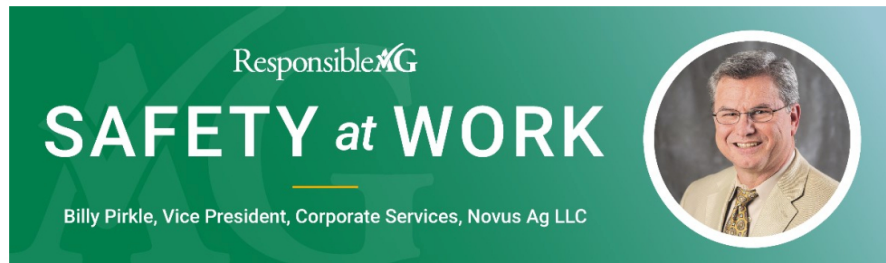
Workplace Eye Safety Awareness Month is an ideal time to take stock of the eye safety practices and emergency requirements in your ag retail center. Three fundamental yet critical practices can significantly increase eyesight safety for managers and employees.

- 1. Know the eye safety requirements of the job.**
- 2. Wear the right eye protection for the job.** It’s the law for employers to provide and ensure employees use approved and properly fitting eye protection.
- 3. Be prepared for an eye emergency.** If employees handle corrosive substances like pesticides and

retailers, OSHA requires employers to provide emergency eyewash stations for immediate emergency use.

[Find tips on protecting employees' eyesight and keeping your facility compliant.](#)

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Not Consistently Enforcing Safety Glasses Policy Nearly Cost Employee's Eyesight

As a plant manager at a roofing fasteners company early in his career, **Billy Pirkle** remembers his focus was on process efficiency – making better quality products with less expense. A call informing him that a shipping foreman at the plant had been hit in the face by metal pieces immediately changed his focus.

"As I thought about the fact that the foreman might not be able to see again, that he might not be able to do the things he enjoyed in life, it hit me hard," says Pirkle, who is currently vice president, corporate services, Novus Ag LLC. "It was very emotional to realize the injuries could have been prevented if the safety glasses policy had been followed."

Retail facility managers can [access resources](#) from ResponsibleAg to achieve regulatory compliance and train employees about safe practices that help prevent accidents from happening.

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Only FOUR Seats Remain for the June Auditor Training Course!

If workplace safety is your main responsibility, then you'll want to attend the June 14-17 Auditor Training Course in Owensboro, Kentucky. The four-day training course prepares you to complete comprehensive audits covering 17 potential areas found within ag retail facilities. It combines in-class and hands-on training at the Ford B. West Center for Responsible Agriculture,

But don't take our word for it. Recently certified auditor, **Glenn S. Crowe**, GSC Safety Consulting, Soddy Daisy, Tennessee, says, **"I've attended a lot of safety and health auditor training throughout my career, and no program compares to the individual and team in-the-field training exercises that are part of the ResponsibleAg auditor course. It's invaluable. I recommend this training to any auditor because it teaches good auditing skills, regardless of the industry they work in."**

[Reserve Your Seat](#)

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Since the start of ResponsibleAg, **Dave Ito**, Grow West vice president of regulatory affairs and safety, volunteered to help build the ResponsibleAg program that helps ag retailers keep employees safe and their facilities compliant.

Ito's knowledge was instrumental in developing ResponsibleAg's audit process, a cornerstone of the program. "The ResponsibleAg audit takes the guesswork out of staying in compliance and takes the surprises out of what needs to be done and how to take care of your business," Ito says.

Recently retiring from the ResponsibleAg board, [Ito reflects on his tenure with ResponsibleAg.](#)

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It's the Little Things That Matter: Technical Committee Keeps You in the Know

How does ResponsibleAg keep its audit assessment checklist up to date with changing OSHA, DOT, DHS and EPA regulations? The answer lies in the efforts of the organization's technical committee. These environmental, health and safety professionals closely monitor changing regulations and update the checklist to reflect any changes. They are dedicated to ensuring safety in their workplaces as well as lending their expertise to help others in the industry.

A big thank you to our Technical Committee members

- **Chairman, J. Billy Pirkle**, vice president, corporate services, Novus Ag LLC
- **Jerry Boger**, director of retail safety and environmental, Premier Ag
- **Tim Bogy**, environment, health and safety manager, Greenpoint Ag
- **Clark Capwell**, general manager of environmental health, safety and sustainability, The McGregor Company
- **Brian Crets**, regional health, environment and safety manager, Yara North America
- **Randy Crowell**, director of environmental, health and safety, Tennessee Farmers Cooperative
- **Shawn Lambert**, safety and risk manager, Co-Alliance
- **Alan Mahoney**, president, Mahoney Safety, LLC
- **Reese Martin**, senior auditor, Nutrien Ag Solutions
- **Maxwell Tinsley**, director of environmental health and safety, Valley Wide Cooperative
- **Dustin Warder**, manager of regulatory affairs, Asmark Institute

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Why ResponsibleAg? It Can Heighten Employees' Awareness of Ladder Safety



March is National Ladder Safety Month. Injuries from falling from a ladder are quite common. More than 100 people die in ladder-related accidents, and thousands suffer disabling injuries each year. The ResponsibleAg audit recently helped increase ladder safety awareness among employees at North Valley Ag Services.

"We had a ladder that didn't seem sturdy, and four or five people came up to me and said, 'Hey, we don't think this is safe. Let's toss it out and order a new one.' That's just one example of how safety has improved since we went through a Responsible Ag audit.

"Overall, the auditing process was educational for our employees. Everyone saw what we've had to go through, so now they know what to look for."

Danielle Patrick, Regulatory and Outreach Coordinator, North Valley Ag Services

[Read other stories](#) from around the industry.

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[News from Around the Industry](#)

FMSCA Top Five Violations for 2021. Would Your Company Drivers, Vehicles Pass?

Based on roadside inspections in 2021, the Federal Motor Carrier Safety Administration issued its top five violations for driver, vehicle and hazardous materials. Share the top five violations with your team members and stress the importance of following safe-driving measures and operations at all times.

2021 Roadside Inspections – Driver Violations

Rank	Description	Violations
1	Speeding 6-10	63,950
2	Failure to obey traffic control device	59,188
3	False report of driver's record of duty status	53,313
4	Failure to use seat belt	50,297
5	Operating without a CDL	42,005

2021 Roadside Inspections – Vehicle Violations

Rank	Description	Violations
1	Required lamp(s) not operable	350,886
2	Operating without proof of a periodic inspection	166,281
3	Brake(s) out of adjustment	128,376
4	No/discharged/unsecured fire extinguisher	116,239
5	Inoperative turn signal	106,265

2021 Roadside Inspections – Hazmat Violations

Rank	Description	Violations
1	Package not secure in vehicle	3,871

2	No copy of USDOT Hazmat registration number	2,691
3	No or improper shipping papers	2,163
4	Shipping paper accessibility	2,155
5	No placard/markings when required	1,861

Farm Supply Exceptions for ELDT Requirements

New Entry-Level Driver Training (ELDT) regulations that became effective on Feb. 7 require all entry-level drivers of commercial motor vehicles (CMVs) to receive training from a provider listed on FMCSA's Training Provider Registry. However, farm supply exemptions apply to any individual who meets one of the exceptions for taking a skills test in [49 CFR Part 383](#) or for whom the state has waived the CDL skills test. Exceptions also apply to seasonal ag CDL drivers.

Promote Agriculture's Contributions on Ag Day, March 22

Why do we love National Ag Day? It's a nationwide effort recognizing and celebrating agriculture's role in supplying almost everything people eat, use and wear every day. That's important since too few people truly understand agriculture's contributions.

Join your customers, agricultural associations, corporations, universities, government agencies and others in promoting agriculture's value. It's easy to do with these [promotional tools](#). This year's theme is Agriculture: Growing a Climate for Tomorrow.

Engage Employees During April's Distracted Driving Awareness Month



It's no secret April is one of the busiest times of the year for ag retailers. Despite lots to do and little time, attentive driving is critical for all from forklift operators to semi-truck drivers and employees headed home after work. Plan to join the National Safety Council and ResponsibleAg during Distracted Driving Awareness Month to help make roadways, workplaces and people safer. Create a distracted driving program and engage your workforce with [ready-made communications and resources](#).

Annual 'Roadcheck' Sets Sights on Wheel Ends, 25% of Vehicle-Out-of-Service Violations

Prepare now for the 72-hour enforcement and safety outreach event scheduled for May 17-19. The Commercial Vehicle Safety Alliance's 35th annual International Roadcheck will place special emphasis on wheel ends. Why wheel ends? These components support the heavy loads carried by commercial motor vehicles, maintain stability and control, and are critical for braking. Violations involving wheel end components account for about one quarter of the vehicle out-of-service violations found in past years.

Drivers can expect inspectors across North America to examine braking systems, lights, tires and other components on commercial trucks and buses. [Last year's event](#) produced more than 40,000 inspections, resulting in 16.5% of vehicles and 5.3% of drivers placed out of service.

Fifteen Facilities are Recently Re-certified through ResponsibleAg

We're especially excited to congratulate the fifteen facilities listed below. They all have completed re-certification through ResponsibleAg. We salute your efforts to once again become Committed, Compliant, Safe and Certified.

The commitment to safety and compliance by all these facilities represents an incredibly positive and important effort for our industry. Congratulations to all!

- *GAR Bennett, LLC - Reedley, CA
- *Gavilon Fertilizer LLC - New Franklin, MO
- *GreenPoint Ag - Bells, TN
- *GreenPoint Ag - Mize, MS
- *GreenPoint Ag - Vacherie, LA
- *GROWMARK FS - Bloomsbury, NJ
- *Nutrien Ag Solutions - Bunn, NC
- *Nutrien Ag Solutions - Forrest City, AR

- *Nutrien Ag Solutions - Preston, IA
- *Nutrien Ag Solutions - Ravenna, NE
- *Nutrien Ag Solutions - San Angelo, TX
- *Nutrien Ag Solutions - WaKeeney, KS
- *Simplot Grower Solutions - Umatilla, OR
- *Southern States Cooperative - Mount Olive, NC
- *Willard Agri-Service, Inc. - Marion, PA

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ResponsibleAg is an industry-led initiative **committed** to helping agribusinesses properly store and handle farm input supplies. The program helps members ensure they are **compliant** with environmental, health, safety and security regulations to keep employees, customers and our communities **safe**.