

# THE TAPA QUARTERLY

*The Newsletter of the Tennessee Agricultural Production Association*

December 2016

## NEW WORKER PROTECTION STANDARD REQUIREMENTS

By Darrell Hensley



Darrell Hensley

If you are an employer of agricultural workers, then the new **Worker Protection Standard (WPS) Requirements** may affect your operation.

Here is a quick check list that can help out agricultural employers of workers:

- Complete WPS worker training before conducting worker tasks.
- Keep records of WPS worker training and provide record to workers if requested.
- Display pesticide safety information at the central location and, if applicable, decontamination locations.
- Display pesticide application and hazard information at the central location.
- Keep records of the pesticide application and hazard information for 2 years.
- Provide establishment-specific information to workers.
- Provide pesticide application and hazard information upon request of worker, medical personnel or designated representative.
- Notify workers of applications – posting, oral warning, or both.
- Provide information (Information Exchange) to Commercial Pesticide Handler Employer (CPHE) (i.e., custom application or crop advisor).
- Provide tasks and instructions to worker supervisors to ensure compliance with WPS requirements.
- Ensure supervisors give directions to workers for WPS compliance.
- Ensure workers do not work on pesticide equipment without receiving handler training. Ensure any individual not directly employed receives information on pesticides before using, cleaning, repairing, etc. pesticide equipment.
- Follow restrictions DURING applications to keep workers and other persons out of certain areas (treated area and AEZ, or enclosed space production facility).
- Follow other restrictions DURING applications (do not contact worker or other person directly or through drift; and applicator must temporarily suspend the application if workers or other persons are in the AEZ or enclosed space production facility).
- Follow restrictions AFTER applications (i.e., REI, label restrictions, etc.).
- Provide decontamination supplies at required locations.
- Make emergency assistance available (information and transportation).

Have EARLY-ENTRY WORKERS?

- Minimum age of 18 years old for early-entry workers.
- Provide clean PPE in operating condition to early-entry workers.
- Provide information to early-entry workers and comply with applicable early entry exception.

For more information, contact your local county extension office or visit <http://psep.utk.edu>

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Thank you!

Another year is winding down, both in our agricultural businesses and at TAPA. The officers and board of directors would like to thank our members and sponsors very much for supporting our association in 2016. May God bless you in the new year ahead. Merry Christmas to all!

We extend our prayers to those affected by the fires in the Southeast and in the Gatlinburg area.

### Add our next event to your calendar!

TAPA Winter Agronomic Workshop

Wednesday, February 8, 2017

DoubleTree by Hilton Hotel, Jackson, Tennessee

Registration: 7:30 a.m.; Program: 8:00 a.m.-5:00 p.m.

Agenda & registration information will be available soon!

## New Worker Protection Standard (WPS) Manual

By Darrell Hensley

For those of you who work in Agriculture and have employees working on the farm you may be affected by the new Worker Protection Standard regulations.

The University of Tennessee has recently obtained several hardcopies of the new WPS regulations and these are available from the eMarketPlace web site at <http://psep.utk.edu> or by calling the Pesticide Safety Education (PSEP) Office at 865-974-1286. The publication is titled "How to Comply with the Worker Protection Standards for Agricultural Pesticides".

The cost for the manual is \$10, shipping included. It is also available electronically through EPA's website at <https://www.epa.gov/sites/production/files/2016-10/documents/htcmanual-oct16.pdf>

Also, EPA working with others has released a new "National Worker Protection Standard: A Manual for Trainers".

The purpose of this manual is to provide guidance for training agricultural workers and pesticide handlers who work in outdoor and enclosed space production areas, such as farms, forests, nurseries, and greenhouses in order to meet changes to the federal Worker Protection Standard (WPS) training requirements, which begins January 2, 2017. The manual is designed to help trainers conduct effective training sessions for agricultural workers and pesticide handlers.

This manual for trainers includes:

- An introduction to pesticides and pesticide safety and the federal pesticide regulations

- A discussion of each of the specific points that must be included in WPS training sessions
- Valuable information to help trainers prepare for and conduct pesticide safety training

This manual focuses on effective ways to communicate pesticide safety and WPS information. It describes a variety of training techniques that are adaptable to different training programs and includes fifteen sample activities for WPS trainers. The final chapter addresses situations that may arise during training and provides suggestions on how to resolve them. This manual may be downloaded from <http://pesticideresources.org/wps/tt/manual/manual.pdf> and the University of Tennessee's PSEP Office hopes to have it available in hardcopy soon.

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## INDUSTRY NEWS

### MONSANTO'S XTENDIMAX™ HERBICIDE WITH VAPORGRIP™ TECHNOLOGY APPROVED BY EPA FOR IN-CROP USE

#### *Farmers to Realize the Benefits Of the Roundup Ready® Xtend Crop System in 2017*

**ST. LOUIS** (November 9, 2016) - Monsanto Company (NYSE: MON) announced today that the EPA has approved XtendiMax™ herbicide with the VaporGrip™ Technology, a low-volatility dicamba herbicide, for in-crop use with Roundup Ready 2 Xtend® soybeans and Bollgard II® XtendFlex® cotton. This significant milestone will provide farmers the opportunity to utilize dicamba in the Roundup Ready® Xtend Crop System in 2017.

With XtendiMax with VaporGrip Technology approved for in-crop use by EPA, farmers can now look forward to another tool for use within the Roundup Ready Xtend Crop System in the United States in 2017, pending state approvals. Monsanto is in a strong position to supply dicamba demand to support the Roundup Ready Xtend Crop System in soybeans and cotton. Monsanto projects over 15 million Roundup Ready 2 Xtend soybean acres and over 3 million acres of Bollgard II XtendFlex cotton in 2017.

"We're excited to enable another piece of the Roundup Ready Xtend Crop System to farmers in 2017," said Brett Begemann, Monsanto president and chief operating officer. "Based on the great demand we've seen in 2016, we know our farmers are looking forward to the benefits of the Roundup Ready Xtend Crop System, including in-crop use of dicamba and glyphosate. Growers have been asking for this industry leading technology for years, and we're excited to be able to provide it in 2017."

The Roundup Ready Xtend Crop System is intended to provide farmers with more consistent, flexible control of weeds, especially tough-to-manage and glyphosate resistant weeds, and to help maximize crop yield potential. The system will include Roundup Ready 2 Xtend soybeans, the industry's first biotech product with tolerance to dicamba and glyphosate herbicides, and Bollgard II XtendFlex cotton, providing tolerance to three herbicides, dicamba, glyphosate and glufosinate.

"We're pleased that we'll be able to provide XtendiMax with VaporGrip Technology in 2017. It will be an effective and economical weed control as part of Roundup Ready PLUS® Crop Management Solutions," said Ryan Rubischko, North America dicamba portfolio lead. "XtendiMax with VaporGrip Technology introduces a step-change reduction in volatility potential compared to dicamba formulations currently on the market today. With the EPA's approval of XtendiMax with VaporGrip Technology, we will build on our existing education programs and best management practices using XtendiMax with VaporGrip Technology in-crop with the Roundup Ready Xtend Crop System."

Please visit [RoundupReadyXtend.com](http://RoundupReadyXtend.com) to stay up to date on state registrations and the latest information on the Round Ready Xtend Crop System.

**ALWAYS READ AND FOLLOW DIRECTIONS FOR USE ON PESTICIDE LABELING. IT IS A VIOLATION OF FEDERAL AND STATE LAW to use any pesticide product other than in accordance with its labeling. NOT ALL formulations of dicamba or glyphosate are approved for in-crop use with Roundup Ready 2 Xtend® soybeans, Bollgard II® XtendFlex® or XtendFlex® cotton. ONLY USE FORMULATIONS THAT ARE SPECIFICALLY LABELED FOR SUCH USES AND APPROVED FOR SUCH USE IN THE STATE OF APPLICATION.** Contact the U.S. EPA and your state pesticide regulatory agency with any questions about the approval status of dicamba herbicide products for in-crop use with Roundup Ready 2 Xtend® soybeans, BollgardII® XtendFlex® or XtendFlex® cotton.

**Roundup Ready 2 Xtend® soybeans** contains genes that confer tolerance to glyphosate and dicamba. **Bollgard II® XtendFlex® cotton** contains genes that confer tolerance to glyphosate, dicamba and glufosinate. Glyphosate will kill crops that are not tolerant to glyphosate. Dicamba will kill crops that are not tolerant to dicamba. Glufosinate will kill crops that are not tolerant to glufosinate. Contact your Monsanto dealer or refer to Monsanto's Technology Use Guide for recommended weed control programs.

Bee safe!



# Retailer News and Views



## Court Blocks Obama's New Overtime Regulation

On November 22, 2016, Judge Amos L. Mazzant of the U.S. District Court for the Eastern District of Texas put a temporary block on the implementation of federal overtime rules, stating that they are likely unlawful. The new rules that were set to take effect on December 1st, are blocked indefinitely by this nationwide injunction. The order comes in response to a lawsuit filed in September by 21 states challenging the validity of the new federal regulations, which were proposed by the U.S. Department of Labor. Under the proposed regulations, the minimum salary threshold below which overtime would be required, would be more than doubled to \$47,892, up from \$23,660 and would then automatically increase in subsequent years. The 21 state Attorney Generals argued that the U.S. Department of Labor lacked legal authority from Congress to impose the dramatic increase and the court agreed. The injunction blocks the new overtime regulation nationwide. The injunction means businesses and nonprofits will not be required to meet the December 1 deadline for complying with the new overtime rules.

## EPA Again Recommends Chlorpyrifos Be Pulled from Market

In January EPA proposed a rule to revoke all tolerances for chlorpyrifos, also known by its trade names as Dursban, Lorsban and Scout among many others. In July, the National Agricultural Aviation Association (NAAA) filed an amicus curiae brief to the U.S. Court of Appeals for the Ninth Circuit in an attempt to keep the chemical on the market. Now, EPA has updated its scientific assessment for chlorpyrifos but continues to recommend that it be pulled from the market. The

EPA is under court order to decide whether or not it will revoke tolerances for the insecticide by March 21, 2017 and is accepting comments on its revised analysis until early January. NAAA says it will continue to stress that chlorpyrifos is the leading insecticide to control soybean aphids, armyworm in alfalfa and corn rootworm among other pests. Moreover, NAAA will highlight that the recommendation to pull chlorpyrifos is based on two studies, performed by Columbia University, which have not been peer reviewed, are based on unknown data and contradict over 40 years of established science on the insecticide. NAAA strongly believes EPA should use sound science to make decisions and hopes the agency will allow the chemical to remain on the market until it has had adequate time to review the Columbia study.

## Top 25 List of ResponsibleAg Audit Findings

While most would expect the cost to address the issues found in a ResponsibleAg audit to be potentially overwhelming, the truth of the matter is quite different. The typical facility has reported that it costs less than \$3,000 to address the issues found in the audit. Signage, fire extinguishers, electrical cords, written programs, training and other relatively small "things" that can be addressed quickly are the most common issues found. With more than 1,200 audits now completed, the Top 25 list looks like this:

1. Lockout/Tagout, Annual Review of Program
2. Spare Fuses, DOT
3. Forklift, PIT Inspection & Maintenance
4. Training, Oxygen & Acetylene
5. Markings, NFPA 704 Markings on Fuel Tanks

6. Safety Shower/Eye Wash Maintenance
7. Workplace Hazard Assessment
8. Lockout/Tagout Program
9. Gas, Portable Containers
10. SDS, Available Upon Request Sign
11. Hearing Conservation Program
12. Guarding and Clearances, Grinders
13. Bloodborne Pathogens Program
14. Training, Drug & Alcohol for Supervisors
15. Labeling, Fuel Tanks
16. Sign, "Not an EXIT"
17. Confined Space Entry Annual Review
18. Confined Spaces Labeled
19. Sign, Slow Moving Vehicle (SMV)
20. Confined Spaces Labeled
21. Training, Electrical Awareness (All Employees)
22. Security Vulnerability Assessment
23. Electrical, Ground-Fault Circuit Interrupter
24. Backflow Prevention, Inspection of RPZ Valve
25. Labeling of Containers, Hazard Communication

## Lesson Yet to Learn About Removing Machine Guards

An Ohio business faces nearly \$215,000 in penalties after disabling safety devices, exposing workers to amputation hazards. A safety complaint filed against the company resulted in an OSHA inspection. Inspectors found the company exposed workers to amputations and other serious injuries by disabling safety devices. Other violations included failing to: install machine guards on equipment; remove defective forklifts from service; and cover exposed electrical connections. The company was cited for 10 safety violations and proposed penalties of nearly \$215,000.

## Industry News (continued)

### *A Winning Record!*

**Randy Dowdy**, owner of Randy Dowdy Farms in Pavo, Georgia, not just set a new world soybean production record this year but blew it out of the water with **171.9 bushels per acre**. The previous record of 160.6 bushels per acre was set in 2010 by Kip Culler of Stark City, Missouri.

In a September 9 press conference in Tifton, Georgia Dowdy said he was humbled by the recognition but said it was not just a one-person effort. Instead, he thanked the brain trust of experts nationwide that helped him in what has amounted to a three-year project. They were hailed by the University of Georgia, Brandt, GSN, BASF, UniSouth Genetics, Genesis Ag, DuPont Pioneer and Southern States, among other entities.

When he first began cutting, his yield monitor showed 110 bushels. In other places in the field, yields were as high as 227 bushels. "The part that was driving Randy nuts is why you see 110 and 227 in the same block during harvest," Dowdy said. "Our goal was not just to break records but to understand why — understand the science behind it so we could duplicate it and replicate it and make sure we're profitable doing so."

For the contest, growers must designate two or more contiguous acres as their entry. Dowdy's winning entry consisted of 3.1 acres, and his winning yield was verified on August 29 by University of Georgia Cooperative Extension.

The record was set using USG 74A74RS, a Group IV soybean variety with the Roundup Ready 2 Yield and STS (sulfonylurea tolerant soybean) traits from Dickson, Tennessee-based UniSouth Genetics.

#### Want to Advertise?

The Tennessee Soybean Association is launching a magazine and is looking for advertising. Would you be interested in a spot? If so, call Gina at our office at 800-827-2326."

## TAPA Sponsors for 2016

*We are grateful for the generous support of our sponsors!  
To learn more about them, click on their links below:*

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*The Tennessee Certified Crop Advisor  
Board of Directors Announces:  
2016-17 Tennessee Outstanding  
Certified Crop Advisor Award*

**Criteria for Selection**

- Be actively involved as a CCA in the agricultural industry
- Be well respected in their agricultural community
- Accomplishments in their field will impact and have impacted many over time
- Have either a lifetime of achievement in agriculture, be an industry leader, or an upcoming active innovative crop advisor (or a combination).

**Selection Process:** Scan and submit nomination package by email to CCA Board Awards Selection Committee by **May 15, 2017.**

**Nomination package should contain:**

- Signed letter of nomination addressing above criteria with contact information for individual making the nomination
- 1 to 3 signed letters of support from current clientele with contact information for each client

Submit package by email to: TN CCA Board awards selection committee, C/O [jseay@ourcoop.com](mailto:jseay@ourcoop.com).

The winner will receive a **\$500 cash prize (provided by Tennessee Farm Bureau Federation)** when announced at TAPA's Annual Meeting and Agronomic Workshop this summer.

**Jaymie Seay  
Executive Secretary  
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(615) 793-8560**

The Tennessee Agricultural Production Association (TAPA) is a non-profit organization established in September 1996 through the merger of the Tennessee Agricultural Chemical Association (TACA) and the Tennessee Plant Food Educational Association (TPFEA). TAPA's purpose is to promote, coordinate and disseminate information related to current recommended agricultural production practices among those engaged in research, education, manufacture, distribution and regulation of Tennessee agriculture.

*The TAPA Quarterly* is published in March, June, September, and December. Please submit articles or other information of interest to be published to Ron Akin at [tapanews@ymail.com](mailto:tapanews@ymail.com). Use this e-mail address if you wish to unsubscribe.

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