

Report to the Legislature

# Pesticide Application Safety Committee

May 2024

RCW 70.104.110



Office of Environmental Public Health  
Sciences  
Division of Environmental Public health



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## Executive Summary

In 2019, the Washington State Legislature passed [Substitute Senate Bill 5550](#), creating the Pesticide Application Safety Committee (PASCO). The Washington State Department of Health (DOH) and the Washington State Department of Agriculture (WSDA) co-chair this 11-member committee. The Legislature tasked PASCO with developing recommendations to improve the safety of pesticide applications. To support PASCO's efforts, SSB 5550 also established an advisory workgroup responsible for collecting information and making recommendations to PASCO.

SSB 5550, codified as RCW 70.104.110, mandates that DOH submit an annual report to the Legislature by May 1 each year, documenting the committee's progress. The present report fulfills that requirement. To meet the deadline, this report covers the period of August 2023, through January 2024.

PASCO meetings occurred on August 30, 2023, November 1, 2023, and an Advisory Workgroup session on January 16, 2024. Among the accomplishments this year, the most notable is PASCO's recommendation to extend its mandate beyond its initial sunset date in July 2025. This recommendation highlights the necessity for ongoing innovation and vigilance in pesticide safety practices and accounts for the pause PASCO took during the COVID-19 pandemic. Though the advisory workgroup only met once, it continues to emphasize the importance of efforts such as: optimizing data collection methods, emphasizing the need for medical education on pesticide exposure, and exploring more efficient inspection processes to reflect a comprehensive approach to addressing the multifaceted aspects of pesticide safety.

Looking ahead, PASCO and its advisory workgroup are set to continue their foundational work while also exploring new avenues for improvement. The emphasis on extending the committee's mandate, enhancing public participation, especially from farmworkers, and refining safety protocols indicates a forward-thinking stance. By prioritizing engagement, education, and efficiency, PASCO aims to foster a safer environment for all Washington residents, demonstrating a steadfast commitment to public health and safety in the face of evolving challenges.

## Background

In 2019, the Washington State Legislature established the Pesticide Application Safety Committee (PASCO) through Substitute Senate Bill 5550. The committee consists of 11 members and is co-chaired by the Washington State Department of Health (DOH) and Department of Agriculture (WSDA). Members currently serving on the committee include:

- Lauren Jenks: Committee Co-Chair, Assistant Secretary, Environmental Public Health Division, (DOH)
- Ignacio Marquez: Committee Co-Chair, Regional Assistant to the Director Eastern/Central WA, (WSDA)
- Senator Rebecca Saldaña, Senate Democrat Caucus, 37th Legislative District
- Senator Judy Warnick, Senate Republican Caucus, 13th Legislative District
- Representative Lillian Ortiz-Self, House Democrat Caucus, 21st Legislative District
- Representative Tom Dent, House Republican Caucus, 13th Legislative District
- Holly Neibergs, Assistant Director, College of Agricultural, Human and Natural Resource Sciences, Washington State University
- Gwen Hoheisel, Pesticide Safety Education Coordinator, Washington State University Cooperative Extension
- Eddie Kasner, Research Scientist and Outreach Director, University of Washington, Pacific NW Agricultural Safety and Health Center
- Craig Blackwood, Assistant Director, Department of Labor and Industries (L&I)
- Calvin Ohlson-Kiehn, Assistant Division Manager for Forest Resources, Department of Natural Resources (DNR)

The Legislature tasked PASCO with developing recommendations to improve the safety of pesticide application. PASCO submits an annual report detailing these recommendations to the Legislature by May 1 each year, through 2025.

The Legislature also established an advisory workgroup to support PASCO. This workgroup meets periodically to gather information and propose recommendations to PASCO. Depending on PASCO's directives, the advisory workgroup can cover a wide range of topics based on membership expertise, including but not limited to:

- exploring how state agencies and the Washington Poison Center (WAPC) collect and track data;
- improving pesticide application safety for agricultural applications;
- leading efforts to establish baseline data for the type and quantity of pesticide applications in Washington, allowing for a comparison between exposure numbers and application counts;
- researching ways to enhance communication about pesticide application within the agricultural community, including public education in English and Spanish about acute and chronic health information related to pesticides;

- collaborating with the industry and agricultural workforce to enhance protocols and best practices, especially concerning the use of personal safety equipment for applicators and reflective gear for the general workforce.

The advisory workgroup includes the following members, representing organizations and stakeholder groups as specified in the legislation:

- WSDA
  - Ofelio Borges
- Employee organizations representing farmworkers
  - Elizabeth Torres, Northwest Communities' Education Center/ Radio KDNA
  - Lupe Sanchez, Opportunities Industrialization Center of Washington
- Farmworkers with expertise in pesticide application
  - Josh Gefre, Mercer Canyon Farms
- Community and Migrant Health Centers
  - Vacant
- Growers using aerial pesticide applications
  - Lynn Olsen, L J Olsen Inc
- Growers employing fumigation for pesticide application
  - Kees Weyns, Weyns Farm
- Growers using air blast sprayers
  - April Clayton, Red Apple Orchards
- Aerial applicators
  - Erin Morse, Washington Aerial Applicators
- Toxicologist
  - Matthew Keifer, Internal Medicine/Occupational Medicine Specialist, Professor Emeritus Medicine and Public Health, University of Washington

This report fulfills the obligation to provide a progress update to the appropriate committees of the Legislature by May 1, 2024.

# PASCO Meeting Report: August 30, 2023

## Meeting Highlights:

- The committee's focus was on advancements and strategic directions in pesticide application safety.
- The committee recommended extending PASCO's mandate beyond its July 2025 sunset date.
- The committee recognized the need for ongoing pesticide safety and surveillance efforts.
- A primary goal was to enhance communication and collaboration between involved agencies.

**Members Present:** Lauren Jenks, Ignacio Marquez, Sen. Rebecca Saldana, Rep. Tom Dent, Sen. Judy Warnick, Bradley Farrar, Calvin Ohlson-Keihn, Holly Neibergs, Eddie Kasner, Gwen Hoheisel, Ofelio Borges, April Clayton, Scott Nielsen.

## Key Discussions:

**Role of Pesticide Advisory Board and PASCO:** The Advisory Workgroup emphasized the difference between the Pesticide Advisory Board's broad review of pesticide applications and PASCO's focus on preventing pesticide exposures in farm working communities. They discussed the potential for collaboration between both entities, highlighting the importance of including farm workers and advocates in these discussions to share education and address pesticide misuse.

**Extension of PASCO beyond July 2025:** The committee expressed support for extending PASCO's operations beyond its current sunset date. They cited the ongoing evolution of science and technology in pesticides as a critical area of work that requires continued attention and effort.

**Advisory Workgroup:** The committee reviewed recommendations from the advisory workgroup and expressed interested in:

- understanding data collection processes from L&I/DOH/WSDA;
- understanding the possible roles of community-based organizations and community health centers;
- looking towards external training partners and public training events to increase awareness and exposure to pesticide surveillance and safety training.

## Outcomes:

- The committee intends to advocate for legislation to extend PASCO's mandate without changing its scope.



- The advisory workgroup is tasked with understanding agency data collection methods and reporting back to PASCO in 2024.
- The next meeting is planned for late October or early November 2023, focusing on identifying gaps and opportunities for the upcoming legislative session.

## PASCO Meeting Report: November 1, 2023

### Meeting Highlights:

- DOH, WSDA and L&I reported notable progress in fostering inter-agency collaboration.
- Efforts to enhance communication for improving pesticide application safety and surveillance were emphasized.

**Members Present:** Lauren Jenks, Ignacio Marquez, Kelle Davis, Savannah Richards, Craig Blackwood, Rep. Tom Dent, Steven Yunker, Gwen Hoheisel, Anneke Jansen, Holly Neibergs, Harmony Fleming, Robin Schoen-Nessa, Sen. Judy Warnick

### Key Discussions:

- **Tri-Agency Cooperation:** Successful Tri-Agency meetings between L&I, DOH and WSDA have been instrumental in fostering collaboration and discovering each agency's work. A shared referral guide was created to ensure proper notification between agencies in cases of human exposure, leading to more effective investigations.
- **Memorandum of Understanding (MOU):** An updated MOU, nearly final, aims to clarify and delineate the roles and collaborative efforts of each agency.
- **Inter-Agency Communication:** Significant improvements in communication among investigators have been observed, fostering an increase in collaborative investigations. This is particularly valuable given the 100% turnover in the DOH pesticide program.
- **Monthly Check-ins and Virtual Staff Meetings:** An effective strategy for improving process was holding regular monthly check-ins between L&I, DOH and WSDA, and a DOH & WSDA virtual staff meeting. These meetings were aimed at building relationships. Discussing cases.
- **Quarterly Reporting:** The Department of Health's initiative to provide quarterly reports to the Washington State Department of Agriculture was discussed as a way to enhance awareness of current pesticide-related issues.
- **Increase in Collaborative Investigations:** An increase in collaborative investigations between agencies was noted as indicating improved productivity and communication.
- **Communication Improvement and Sharing of Investigative Information:** Improvements in communication between investigators and the sharing of summary reports and investigative information during and after investigations were identified as key advancements.
- **Future Plans:** Plans were put in place to create a shared dataset for human exposure cases to ensure consistency in information gathered by all agencies; The goal being to create a structured review process for cases to improve efficiency and alignment across agencies.

- **Challenges and Momentum:** While collaborative efforts have been successful, maintaining momentum amid workload and other responsibilities remains a challenge. Efforts to address this include scheduled meetings and a culture of shared responsibility.
- **Advisory Workgroup Initiatives:** The advisory workgroup will be focusing on improving investigation processes, aiming for better alignment and efficiency. They will develop recommendations to ensure streamlined processes and eliminate duplicate work.
- **Legislative Considerations:** Attendees discussed support for amending Substitute Senate Bill 5550 to potentially remove or extend its sunset date and address other aspects of the bill for improvement.
- **Public Participation:** A call for greater public participation was noted, with specific mention of increasing farmworker representation in the advisory workgroup and considering more accessible meeting formats.

#### **Outcomes:**

- **Advisory Workgroup Tasks and Recommendations:** The advisory workgroup's focus on improving investigation processes and recommendations for better alignment and efficiency were discussed as essential for future progress.
- Extending or removing sunset date from PASCO, are intended to be brought before the 2024 legislative session.
- Planning was done for the next meeting in late March or early April.

## **Next PASCO Meeting**

**April 19, 2024**

Outcomes from this meeting will be reported in the May 2025 PASCO legislative report.

## **Advisory Workgroup Meeting Report: January 16, 2024**

**Advisory Workgroup Attendance:** Lynn Olsen, Ofelio Borges, Griselda Arias, Mathew Keifer, Kees Weyns, Josh Gefre.

#### **Objective:**

- The January 2024 PASCO advisory workgroup meeting was held to review Joint Legislative Audit & Review Committee (JLARC) preliminary report findings.
  - The 2022 Supplemental Budget directed JLARC to evaluate how the Department of Health (DOH) administers laws intended to protect farmworkers from hazardous pesticide exposure. The Departments of Labor and Industries (L&I) and Agriculture (WSDA) were included in the study due to their roles in protecting farmworkers from hazardous pesticide exposure.

- JLARC's final report is expected in April 2024.
- The Legislative Auditor recommended better collaboration between L&I, WSDA, and DOH.
- Streamline and enhance the process for handling and investigating pesticide incidents.

#### Key Discussions:

- **Uniform Data Collection Methodology:** Emphasis on the need for a standardized approach to collecting data on pesticide incidents to improve usability and effectiveness across L&I, WSDA, and DOH was emphasized.
- **Enhanced Occupational Health Education:** The workgroup identified gaps in occupational health education among medical professionals, highlighting the need for DOH-designed continuing medical education (CME) programs focusing on pesticide exposure and reporting obligations.
- **Expansion and Capacity Building:** The workgroup acknowledged the need for additional members to manage scheduling and commitment challenges and expressed interest in learning from L&I, WSDA, and DOH to present a unified investigative method.
- **Harmonized Training and Inspector Skills:** Recommendations were made for reviewing and aligning training content and inspector skills across agencies to ensure consistency and effectiveness in pesticide application safety inspections.
- **Streamlined Inspection Process:** A unified inspection process by a single department to simplify employer interactions with state inspectors and improve the quality of data collected on pesticide applications and incidents was considered.
- **Collaborative Training Initiatives:** The group discussed the benefits of reintegrating L&I and DOH representatives in WSDA training to provide comprehensive support and guidance during pesticide application safety sessions.

#### Outcomes:

- An in-person gathering to boost collaboration and communication among workgroup members was planned.
- Central Washington was considered as a location for the gathering due to its accessibility.
- Positive discussions recommended extending PASCO legislation for another 10 years.
- Strong support was indicated for ongoing efforts to ensure pesticide application safety.
- The January 2024 advisory workgroup meeting emphasized enhancing pesticide application safety in Washington state.
- The importance of cross-agency collaboration was reaffirmed.
- The need for improved training and education was highlighted.
- Aimed for a streamlined investigative process to protect workers and the public from pesticide exposures.

## Next Advisory Workgroup Meeting

To be announced

### Conclusion

Looking ahead, the Pesticide Application Safety Committee (PASCO) and its advisory workgroup are poised to build upon the solid foundation established over the past two years. The committee's recommendation to extend PASCO's mandate reflects a recognition of the evolving nature of pesticide technologies and practices, and the continuous need for oversight and innovative approaches to pesticide application safety.

#### **PASCO and the Advisory Workgroup Recommendations:**

- Extend PASCO current sunset date (July 2025) by 10 years.
- In-person meetings for the advisory committee to improve engagement.
- Foster greater public participation and representation from farmworkers in the advisory workgroup, ensuring that the experiences and needs of those most affected by pesticide applications are fully integrated into PASCO's work.
- Review and work through investigation data collection by all three state agencies to understand if there are efficiencies or data leverage points.
- Explore further enhancements in inspection processes and training methodologies ensuring consistency across agencies and maximizing the effectiveness of safety measures.

With the support of the Washington State Legislature and continued inter-agency collaboration, PASCO and the advisory workgroup are committed to advancing pesticide application safety, reducing risks to workers and the public, and adapting to the challenges posed by new pesticide technologies and application methods.



