

AMENDMENT NO. _____ Calendar No. _____

Purpose: To impose requirements on a rulemaking relating to agricultural worker protection or certification of pesticide applicators.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

H. R. 1029

To amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve pesticide registration and other activities under the Act, to extend and modify fee authorities, and for other purposes.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mrs. GILLIBRAND

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . REVISIONS OF WORKER PROTECTION STANDARD**

3 **AND CERTIFICATION OF PESTICIDE APPLICA-**

4 **TORS RULE.**

5 Section 25 of the Federal Insecticide, Fungicide, and
6 Rodenticide Act (7 U.S.C. 136w) is amended by adding
7 at the end the following:

8 “(f) **REQUIREMENTS FOR REGULATIONS RELATING**
9 **TO WORKER PROTECTION STANDARD AND CERTIFI-**
10 **CATION OF PESTICIDE APPLICATORS.—**With respect to

1 any revision of part 170 or 171 of title 40, Code of Fed-
2 eral Regulations (or successor regulations)—

3 “(1) prior to the revision, the Administrator
4 shall conduct a negotiated rulemaking in accordance
5 with subchapter III of chapter 5 of title 5, United
6 States Code, including by establishing a committee
7 under section 565 of that title, the membership of
8 which shall include a balanced representation of
9 stakeholders, including representatives of—

10 “(A) agricultural worker advocacy groups;

11 “(B) agricultural producer groups;

12 “(C) crop protection groups; and

13 “(D) environmental groups; and

14 “(2) the revision shall include—

15 “(A) a prohibition on children less than 18
16 years old handling pesticides in accordance with
17 sections 170.309(c) and 170.313(c) of title 40,
18 Code of Federal Regulations (as in effect on the
19 date of enactment of this subsection); and

20 “(B) a provision that an agricultural work-
21 er whose health is threatened or may be af-
22 fected by a pesticide at the location where the
23 worker is employed may request through a des-
24 ignated representative information relating to
25 the pesticide in accordance with section

1 170.311(b)(9) of title 40, Code of Federal Reg-
2 ulations (as in effect on the date of enactment
3 of this subsection).”.