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State: Farmworkers to 'shelter in place' from pesticides

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**IMAGE 1 OF 4**

FILE--In this Oct. 14, 2010, file photo, apples are harvested in Milton-Freewater, Ore. Farmers will be allowed to let farmworkers and their families "shelter in place" in their on-site housing when aerial ... [more](#)

SALEM, Ore. (AP) — Farmers will be allowed to let farmworkers and their families "shelter in place" in their on-site housing when aerial pesticides are being sprayed after objections from some growers that newly updated rules were too intrusive, a newspaper reported Tuesday.

Oregon farmers had objected to the proposed rules that required the evacuation of workers within 100 feet of where trucks and planes are spraying pesticides, The Capital Press reported. That's because fruit growers in the Columbia River Gorge, in particular, spray in the early morning and would have had to wake farmworkers up to comply.

Approximately two-thirds of Oregon's 314 registered labor camps are in Wasco and Hood River counties, home to most of the state's pear and cherry orchards.

The Oregon Occupational Health and Safety Administration now says alternatively, workers can remain in their housing during early-morning spraying as long as doors, windows and air intakes are closed and the pesticides don't require the use of a respirator on the label.

The rules were adopted Monday and take effect Jan. 1, 2019.

For chemicals that do require the use of a respirator, the rules require an evacuation zone of 150 feet – stricter than federal guidelines – and farmworkers can't shelter in place.

Pesticide drift – or the unintentional diffusion of pesticides beyond where they were intended – is already illegal in Oregon, though it does sometimes occur.

The Oregon Department of Agriculture investigated 172 complaints of chemical drift resulting in 38 violations in 2016, and 82 cases resulting in 10 violations in 2017.

The rules passed Monday were criticized by both growers, who found them too strict, and farmworker advocates, who found them too lax.

Mike Doke, executive director of the Columbia Gorge Fruit Growers Association, said the 150-foot evacuation requirement for pesticides that call for a respirator is arbitrary.

"We just have to come in and adhere to a whim because somebody thought it was a good idea," he said.

Growers do not heavily use chemicals that require a respirator, but that could change as the industry faces challenges from new emerging pests, such as the brown marmorated stink bug, Doke said.

Farmworker advocacy groups, however, said the new rules don't go far enough.

A state law passed in 2015 already requires that forest managers conducting aerial sprays cannot come within 60 feet of homes or schools and Lisa Arkin, executive

director of the group Beyond Toxics based in Eugene, said the same standard should apply to agriculture when spraying around farmworker housing.

Ramon Ramirez, president of Pineros y Campesinos Unidos del Noroeste – the largest Latino union in Oregon – said the union may consider legal action to win stricter protections.

"We think farmworkers are being shortchanged on their lives to put food on the table," he said.

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