

## **Spanish Labeling Initiative**

### **April 19, 2010**

#### **Background**

- December 2009: Migrant Clinicians Network (MCN), Farmworker Justice (FWJ), and others sent a letter to OPP requesting that EPA require pesticide manufacturers to begin selling products in the United States with Spanish-language labels as soon as possible.
- The MCN letter states that while pesticide labels are only required to be in English, the majority of farm workers speak Spanish as their native language and that it is an environmental justice concern that pesticide applicators cannot read the labels to understand the pesticide use directions, PPE required, or instructions to avoid contamination of water bodies.
- January 2010: OPP responded to MCN letter. The EPA letter states that EPA has allowed the marketing of pesticide products with bilingual labeling for over two decades.
  - 40 CFR 156.10(a)(3) “All required label or labeling text shall appear in the English language. However, the Agency may require or the applicant may propose additional text in other languages as is considered necessary to protect the public. When additional text in another language is necessary, all labeling requirements will be applied equally to both the English and other-language versions of the labeling.”
- A series of Pesticide Registration Notices (PR 88-06, PR 95-2, and PR 98-10) further discuss bilingual labeling.
  - PR 98-10(IV)(I) “A registrant may provide bilingual labeling on any product without notification. The foreign text must be a true and accurate translation of the English text. Note: Both language versions of the labeling must appear on a container. Foreign text may be used on all or part of the labeling.”
- In the January letter, OPP committed to seek comment on the MCN proposal in the near future.

#### **National Agricultural Workers Survey (NAWS)**

- The National Agricultural Workers Survey (NAWS) of 2001-2002 found that 75% of farm workers in the United States are from Mexico, 2% are from other Central American countries, and 1% are from countries in the rest of the world. Eighty-one percent of farm workers surveyed say that Spanish is their native language, 18% responded that English is their native language, and 2% claim “another language” as their native language. Farm workers were asked to rate their level of English and 44% responded that they do not speak any English, while 24% said that they speak English “well.”

#### **Total Release Foggers**

- March 2010 OPP sent a letter to registrants of total release foggers (TRFs) requiring various label changes to be made by September 30, 2011. Among the changes required were label statements in both English and Spanish on all indoor TRF product labels. Registrants must verify that the Spanish language text is a true and accurate translation of the English text and submit verification statement to EPA. Both language versions of the labeling must appear on the product container.

#### **Other Governments**

- **Puerto Rico:** General use pesticide labels for sale in Puerto Rico are only required to have labeling in English. Restricted use pesticides (RUPs) and Special Local Need registrations (SLNs) must contain supplemental labeling in Spanish.

- **Canada:** All pesticides produced or sold domestically require labels to be printed in both English and French. All science reviews done during the registration process are done with the label in one language (usually in English) and the equivalent translation is required to be submitted by the registrant. All labels are reviewed by PMRA to ensure accurate translations and standard language throughout.
- **California:** CA has the same labeling requirements as EPA, but they review all labels that are marketed, whereas EPA reviews a ‘text-only’ version of the label. This includes full Spanish translations for home garden products, antimicrobials, etc, and the WPS Spanish statements on agricultural pesticides.

#### **Status of Spanish Labeling Initiative**

- Developing FR to solicit public comment on MCN proposal
  - FR will ask specific questions on how Spanish labeling could be implemented, costs and benefits, and enforcement
  - FR may publish in summer/fall 2010
- Formation of internal OPP workgroup
- Outreach with other EPA offices – OEJ, Office of Children’s Health, Office of Public Outreach