

PESTICIDE DRIFT

Shielding Organic Fields: Protecting Against Pesticide Drift

IN THIS FACTSHEET:

- Lessen your risk of pesticide drift
- Monitor your land and livestock
- Navigate the legal system if you're filing a complaint and/or filing a claim for damages

PESTICIDE DRIFT RISKS

Pesticide drift is an important consideration for organic farmers since their crops, livestock, and land could be decertified as organic for one or more years if contamination from a non-organic operation occurs. At times, not only is the organic sale value lost, the crop can't be sold or used as nonorganic either. If the drifted chemical used is not legally approved for use on that specific crop, it may need to be destroyed. Depending on the chemical, there could also be short- and long-term negative ecological effects on soil health, the biodiversity which aids in pest management, as well as an increase in problematic weeds and diseases that had not been present before the drift incident. If people or livestock had direct contact with the drift, there could also be short- and long-term health effects that must be monitored over time.

It's not only organic farmers who suffer from a pesticide drift incident. The pervasive use of pesticides in our environment, and the tendency for pesticides to move onto unintended targets unless clear protocols are used, has implications for specialty crop growers, commodity crop growers, homeowners, and the general public.

HOW TO COMBAT DRIFT

There are things that you can do to lessen your risk of a pesticide drift incident.

1) Shield

There are no laws that mandate the use of herbicides along roadsides, under power lines, along railroads, etc. There are rules that these areas must be clear and not obstruct the view. You can approach the utilities and municipalities that manage these areas and have a written no herbicide use agreement, where you agree to keep the brush and tall grass controlled to their satisfaction if they are willing to manage it without herbicides.

Discuss the vulnerable nature of your organic or specialty crops to pesticides with your neighbors and if they use a custom applicator, with that business. If aerial spraying is a concern, bring a map to the local airport, outlining your organic land along with its location, and share it with the crop dusters active in your area. Lastly, consider planting trees or tall shrubs along the edges of your land, since these can deter some of the droplets from crossing the property line.



HOW TO COMBAT DRIFT, CONT.

2) Monitor

Become knowledgeable of the telltale signs of pesticide drift on your crops. [This Extension publication](#) has photos and descriptions of the “modes of action” of many pesticides, and can help you detect if your crop has been affected by an unwanted application. Typically, curled and/or yellowed leaves on both annual and perennial crops can be seen even if the plant does not eventually die.

3) Notify

Every state has an agency that deals with pesticide complaints, and a quick internet search should be able to help you find yours. (See sidebar to the right for TOPP Great Plains Region contacts) If you suspect a pesticide drift based upon crop damage, or you saw it occurring, contact your state within 48 hours of the incident. Each state has different rules on pesticide drift, some will share with you exactly which chemicals were present, others will not. In any case, it is important that these incidents are reported, since the applicator may be fined and this is meant to encourage better behavior in the future. Repeat drift incidents could result in the loss of the applicator’s license.

A CLOSER LOOK

Each state deals with economic losses from pesticide differently, as well as any negative human or livestock health effects that might have been experienced. Good documentation is essential. If your case is clear, including documentation from the state that the pesticide drift occurred and there was liability on the applicator’s part in that drift event, typically the applicator’s insurance would be willing to settle out of court. Your organic records showing yields and sales are invaluable here, since you would have documentation supporting the dollar amount you might be requesting. [This study on how various states have dealt with pesticide drift](#) claims could be useful in helping you or your attorney build your case for compensation.

TAKE CARE OF YOURSELF

If you are present during the application, DO NOT put yourself in the plume of spray. Instead, go inside with your children and pets, close the windows, turn off any fans or air conditioners and wait for it to dissipate. Be aware of the signs of pesticide poisoning, wash your body and clean your clothes immediately. Then write down the date, time, and location of the occurrence, and immediately call your state agency. These publications from the [University Of Missouri-Columbia](#) and the [Oregon Health Authority](#) explain what to do if you are present during a pesticide drift incident.

WHERE TO FILE COMPLAINTS IN THE PLAINS STATES

Colorado

Colorado Department of Agriculture
720-241-8450

Kansas

Kansas Department of Agriculture
785-564-6700

Nebraska

Nebraska Department of Agriculture
402-471-2351

North Dakota

North Dakota Department of Agriculture
701-328-4922

Lukas Wagner, ljwagner@nd.gov

Oklahoma

Consumer Protection Services - Oklahoma
Department of Agriculture Food and Forestry
405-522-5981

Damardray Williams,
dmardray.williams@ag.ok.gov

South Dakota

South Dakota Department of Agriculture
and Natural Resources
605-773-4432