



521 E Locust Street, Suite 220
Des Moines, IA 50309-1939
(515) 244-1194
www.iowafarmersunion.org

February 26, 2015

Senator Dick Dearden, Chair
Senator Kevin Kinney, Subcommittee Chair
Senator Amanda Ragan
Senator Dan Zumbach
Senate Committee on Natural Resources and Environment
Iowa State Capitol
1007 E Grand Ave
Des Moines, IA 50319

RE: Comments in Support of SSB 1190

Senators Dearden, Kinney, Ragan and Zumbach:

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On behalf of the Iowa Farmers Union (IFU) and our family farmer members, I want to thank you for your consideration of [SSB 1190](#), which would increase the financial responsibility requirements for commercial pesticide applicators and provide better protections for Iowa farmers that have experienced damages from pesticide drift. IFU is leading a coalition of farm and food advocates to promote legislation on this issue, to provide better support for local food producers, growers of high value specialty crops, and other family farmers who have been adversely impacted in recent years by costly incidents of pesticide drift. We ask for your full support for moving SSB 1190 forward this session, and hereby submit the following comments in support of that request:

(1) The current minimum requirements for financial responsibility for commercial pesticide applicators (\$100k per incident and up to \$300k annually) are not adequate to protect against losses to many high value specialty crops. As a rule of thumb, a conventional horticulture crop (vegetables, fruits, grapes, nuts, flowers, etc.) can have an average retail value of \$25,000 per acre. In addition to the actual retail value of the crop, suspected cases of pesticide drift require added labor costs over a period of weeks and months for sorting and washing any of the remaining crop that is able to be harvested. Where the acres were certified organic, a single incident of drift can cause that certification to be lost, causing an additional set of on-going damages over the 3 years required to re-establish the certification. These damage estimates hold true for a variety of farming operations: orchards, vineyards, nut growers, fruit & vegetable growers, etc. The requested increase to \$300,000 per incident and up to \$1 million annually is still relatively modest compared to the financial value of the crops being damaged, and in practical terms the alternative would be to ask the impacted farmer to simply absorb thousands of dollars in losses.

(2) Making it easier for farmers to fully recover damages from pesticide drift via liability insurance coverage would decrease the need for injured parties to resort to filing a lawsuit. When I speak with farmers whose crops were damaged by drift, they are not looking to be punitive - they just want to be made whole. Where pesticide drift occurs, it generally happens with no warning and through no fault

Since 1915, Iowa Farmers Union members have worked together to strengthen the independent family farm through education, legislation and cooperation and to provide Iowans with sustainable production, safe food, a clean environment and healthy communities.

on the part of the farmer who is suddenly facing a significant economic loss. Farmers, like most people, do not relish confrontation. I have talked with farmers who are even reluctant to report the incident to IDALS, because they are worried that will be viewed as a aggressive step. When a negligent actor damages or destroys someone's property, it is in everyone's best interests for the injured party to be able to recover damages quickly, easily and in full. Adequate liability insurance is by far the easiest way to ensure that happens.

Third, providing better coverage for damages from pesticide drift is particularly important to Iowa's beginning farmers. Over the past 5 to 10 years, we have seen a tremendous expansion of local and regional food systems. This growing market has proven to be an invaluable economic opportunity for young families who are trying to start farming at a time of historically high farmland prices and input costs. For this reason, many beginning farmers are growing the types of high value specialty crops that have been particularly vulnerable to damage from pesticide drift. As new business owners, these farmers are unable to simply absorb thousands of dollars in uncompensated losses from an incident of pesticide drift. Providing opportunity for the next generation of family farmers means creating a framework where they are allowed to succeed through innovation and hard work - something that can be quickly undone by unexpected and uncompensated crop losses.

Finally, pesticide drift impacts ALL types of farmers. My family's farming operation consists of approximately 1,500 acres of conventional commodities - corn, soybeans, wheat and other small grains. We use pesticides on all the crops that we grow, but we have also lost crops to pesticide drift. Our food-grade soybeans and the wheat and small grain crops that we grow do not tolerate glyphosate, and we have had crops damaged by drift from neighboring fields. I have observed a common misperception - even among some farmers - that pesticide drift only impacts organic farmers, or only impacts fruit and vegetable farmers. This is simply not the case. A pesticide will harm any crop that is not capable of tolerating that pesticide. That is why we, like many farmers, are so careful with pesticide applications on our farm. Unless all the farmers in Iowa get together and agree to grow identical crop varieties using identical chemical applications - with a wide buffer around rural residences - this will continue to be a problem that we need to address. Tolerating a framework that discourages diversity and innovation in farming operations may be in someone's best interest, but it is most certainly not in the best economic interest of the family farmer. We need to have common sense standards and protections in place that allow for basic diversity in our system of agriculture.

We thank you for your consideration of these comments on SSB 1190, and I hope that our farmers can count on your support to move this bill forward. If you have any questions, or if I can provide additional information, please feel free to contact me at jlinderman@iowafarmersunion.org or (319) 651-2250.

Sincerely,



Jana M. Linderman
President
Iowa Farmers Union