



THE VOICE OF FAMILY
FARMERS SINCE 1915

521 E Locust Street, Suite 220
Des Moines, IA 50309-1939

www.iowafarmersunion.org

February 11, 2016

Sen. Dick Dearden, Chair
Sen. Brian Schoenjahn, Subcommittee Chair
Sen. Kevin Kinney
Sen. Dan Zumbach
Senate Committee on Natural Resources & Environment
Iowa State Capitol
1007 E Grand Ave
Des Moines, IA 50319

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RE: Iowa Farmers Union Comments in Support of SSB 3125

Senators Dearden, Schoenjahn, Kinney and Zumbach:

On behalf of the Iowa Farmers Union (IFU) and our family farmer members, I want to thank you for your consideration of SSB 3125, which would greatly improve the level of service and support provided by the Department of Agriculture and Land Stewardship (IDALS) to farmers who have been harmed by pesticide spray drift.

The IFU is a grassroots member organization of family farmers, ranchers, advocates and consumers who work to strengthen and promote Iowa's independent family farms. We represent a diverse mix of farming operations, including corn, soybean and grain farmers, livestock producers, dairy producers, organic farmers, fruit, vegetable and specialty crop growers, and market farms selling directly to local consumers.

The IFU is leading a coalition of farm and food advocates to promote legislation that will provide needed support and resources for specialty crop growers, organic farmers and ranchers, horticulture farmers, vineyard owners, honey producers, and other family farmers and rural residents who have been adversely impacted in recent years by costly incidents of pesticide drift.

We ask for your support to move SSB 3125 forward this session and submit the following comments in support of that request.

SSB 3125 would allow impacted farmers to more easily and accurately report incidents of pesticide spray drift to the IDALS Pesticide Bureau by creating an on-line reporting form on the IDALS website.

The Iowa Pesticide Act currently requires someone claiming damage from an incident of pesticide spray drift to submit a report in writing to the IDALS Pesticide Bureau within 60 days of the incident. Currently, such reports are not submitted in writing by the impacted party, as

IDALS only allows initial incident reports to be submitted by phone, Monday through Friday, during agency business hours. Where the agency decides that follow-up is required, a Pesticide Bureau investigator then collects additional notes during an in-person site visit. This reporting system causes unnecessary and inconvenient delays where drift incidents take place on a weekend or outside of business hours. In addition, farmers who may be in the middle of a busy growing season are particularly in need of flexibility in how and when a report may be filed. On-line reporting would serve two main purposes:

- (1) On-line reporting would allow impacted parties to directly file written incident reports, in their own words, as contemplated by statute. This also would support the accuracy of reporting, as there would be no risk of details being lost when a third party attempts to translate a phone conversation into writing.
- (2) On-line reporting would support the immediate reporting of incidents that occur outside of business hours and would make it easier for farmers to report drift incidents even if farm work keeps them in the field or the barn until regular business hours are over.

A significant number of state jurisdictions already provide for on-line reporting of pesticide drift incidents, including most of Iowa's neighbors:

- Illinois Department of Agriculture (<https://www.agr.state.il.us/pdf/pesticidemisusecomplaintform.pdf>)
- Minnesota Department of Agriculture (<http://www.mda.state.mn.us/chemicals/pesticides/complaints.aspx>)
- Missouri Department of Agriculture (<http://agriculture.mo.gov/plants/pdf/PesticideIncidentReport.pdf>)
- South Dakota Department of Agriculture (<https://www.state.sd.us/eforms/secure/eforms/E2093V1-PesticideComplaint.pdf>)

Moving Iowa's pesticide drift reporting system into the 21st century would be an easy and common sense way to improve the level of service that the IDALS Pesticide Bureaus provides to farmers and other Iowans who have been impacted by pesticide spray drift.

SSB 3125 would transfer responsibility for analyzing field samples collected in pesticide drift investigations to the State Hygienic Laboratory; this move would greatly improve farmers' ability to effectively respond to suspected incidents of drift by significantly decreasing the amount of time required to analyze and return lab test results.

In general, when the IDALS Pesticide Bureau receives a report of pesticide spray drift, an investigator from the Pesticide Bureau is able to follow up with an on-site visit in a matter of days. The on-site visit typically includes the collection of samples for lab testing to determine whether pesticide spray drift occurred and which chemicals were involved. Unfortunately, the time currently required to return the lab results to the party who filed the report is frequently in the range of 6 to 8 months.

This delay is unacceptable to farmers waiting for information about what chemicals their crops, their animals, their workers, and their families have been exposed to. The testing delay is

particularly problematic for farmers with specialty certifications such as “organic” or “chemical free” that are vital to marketing and pricing, and also for farmers who are growing food crops that may have been exposed to chemicals not approved for human consumption. With conventional horticulture crops having an in-field market value of \$25,000 or more per acre - much more for certified organic crops - losing an entire harvest or even an entire growing season to unknown chemical exposure can be financially devastating.

Currently, the IDALS lab has primary responsibility for testing the field samples collected in a pesticide drift investigation. The lab employs 6 full-time chemists, and more than 80 percent of their time is spent running samples from pesticide drift investigations. Because the bulk of these samples are collected during the active growing season, and the lab needs to support its employees’ workload throughout the year, the testing is necessarily spread throughout the year as well, regardless of when the samples come in. Short of increasing funding for IDALS to hire seasonal lab employees - or have employees who sit idle during parts of the year - there is no clear practical solution to the problem within the current framework of the IDALS lab. With the number of pesticide drift reports increasing each year, this problem will only get worse.

Iowa’s State Hygienic Laboratory currently processes identical field samples for the state departments of agriculture in Missouri and Nebraska as part of their official pesticide drift investigation process. In contrast to the IDALS lab, the State Hygienic Lab has sufficient staff, equipment, and workload to process these samples as they come in, and to return them in a matter of weeks rather than a matter of months. Providing the same level of service to Iowa farmers that the lab already provides for farmers in Missouri and Nebraska seems like a highly common sense solution to the current problems Iowa farmers face with delays in receiving lab results following a suspected incident of pesticide drift. It is a solution that represents a more efficient use of state resources while at the same time making a vital improvement to farmers’ ability to respond and mitigate damages following an incident of pesticide drift.

We thank you for your consideration of these comments on SSB 3125, and I hope that our family farmers can count on your support to move this bill forward. If you have any questions, please feel free to contact me at jlinderman@iowafarmersunion.org or (319) 651-2250.

Sincerely,



Jana M. Linderman
President
Iowa Farmers Union