



# PURDUE PESTICIDE PROGRAMS

Purdue University Cooperative Extension Service

## STAY ON TARGET: PREVENT DRIFT

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Pesticides play a vital role in most all farming operations; and thoughtful management is essential. A pesticide management plan that does not include measures to prevent chemical trespass (drift)—and preparation in case it does occur—can be expensive. Failure to plan for the possibility of drift can cost you money, performance, time, and good relationships with neighbors. It also may introduce you to regulatory officials!

### What is happening

The Office of Indiana State Chemist (OISC) is responsible for regulating the use of pesticides in Indiana. You receive your private applicator permit from OISC. It is the agency responsible for dealing with commercial applicators, pesticide dealers, growers, homeowners, and the public on the number one pesticide complaint issue in Indiana—drift. In the past several years, the OISC has seen a significant increase in the number of pesticide drift complaints aimed at private applicators. Complaints to OISC have come from other farmers, non-farming neighbors both near and far from the application site, and even people traveling on local roads.

Pesticide drift incidents most often occur when farmers find themselves with a small window of opportunity to apply pesticides. Weather constraints can lead to poor decisions and a “gotta-get-it-done” attitude. Many times it’s a matter of being so worried about spraying for weeds that the neighbors’ crops and yards are forgotten.

Neighbors regard drift as an intrusion on their private property rights. Others view pesticides drifting onto their property as a threat to their family, pets, livestock, and livelihood. Most aren’t looking for a fight or compensation; they just want assurance that it won’t happen again. But if the relationship isn’t friendly to begin with, pesticide damage becomes ammunition for feuds, complaints, and lawsuits.

### Don't Drift

- Think about the area surrounding each field.
- Follow label restrictions.
- Calibrate spray equipment.
- Be considerate of neighbors.
- Respond courteously to complaints.
- Spray smart.

## **What can happen**

A neighbor can file a pesticide drift complaint with OISC by phone or letter. No special form is needed. OISC is charged by the Indiana General Assembly to investigate all complaints. OISC's cooperative agreement with U.S. EPA also makes it the agency responsible for enforcement of the Federal Insecticide, Fungicide and Rodenticide Act of 1947 (FIFRA), the federal law governing pesticide use.

### **To the grower**

If OISC finds that the grower has illegally drifted onto neighboring property, the grower may be issued a warning letter, assessed a fine, and/or have their applicator permit suspended or revoked.

But what OISC can do is minimal. If a violation of the label is found, the investigation file from OISC can become evidence in a civil court case. FIFRA states that the label is the law.

As a result of property damage and lawsuits from drift, insurance premiums can increase, or the insurance company may cancel the policy.

### **To the agricultural community**

Repeated violations of the pesticide label can cause

- adverse relations with other farmers. Farmers have begun to speak out against the "habitual offender."
- poor public perception of growers.
- more restrictions to be imposed on a pesticide: no applications in restricted areas (near vineyards, orchards, subdivisions, or schools); mandatory pesticide education; or cancellation of the product.

## **What you can do**

### **Plan ahead**

Before you plant and before you choose a pesticide evaluate the areas surrounding each field. Look for wells (abandoned or working); homes; susceptible crops; gardens; landscape plants; and sensitive neighbors. Select pesticides that meet your needs and pose little risk to the environment. Also, identify alternative pesticides to use in case weather and timing make your first choice unfeasible.

Read the label before spraying. Note prevailing wind, setback, or other restrictions.

Use common sense and make a clean application.

Inform commercial applicators of any sensitive neighbors or promises you have made, such as notification.

### **Adjust applications**

Avoid spraying when the wind blows toward sensitive areas; this is the number one thing you can do to reduce the risk of drift. Other methods to reduce spray drift include the following:

- Select nozzles that produce large drops.
- Lower the spray pressure.
- Increase the spray volume.
- Lower the spray boom.
- Add a drift control agent.

### **Respond to complaints**

Personally respond **immediately** to any complaints that your application might be the source of drift, whether the application was made by you or a commercial applicator. Responding to a complaint often heads off an OISC investigation; bad feelings; and lawsuits might be avoided. If you don't listen, the complainant will find someone who will!

Take the time to respond to a complaint with a phone call or, even better, in person. It will be worth the effort. In many cases the person just wants to be heard and assured that it won't happen again.

Provide accurate information of what was applied. Copy the label, if necessary. Withholding information will only increase suspicion that you are hiding something.

Take good notes and photograph the site. Collect samples. Extension educators can provide unbiased, third party judgment. They can be helpful in identifying causes of other injury that may be confused with drift damage. Plant samples can be sent to the Purdue Plant and Pest Diagnostic Lab for analysis. Contact the county educator for directions on how to submit samples.

Inform your insurance agent soon after being contacted about possible drift damage. Never presume that your insurance will pay for the claim. Let the insurance representative do his job.

Most neighbors want you to listen and understand their concern about pesticide drift onto their property. A prompt, considerate response may be all that is needed. However, not replying or being rude will likely turn a small annoyance into a bigger problem.