

Pesticide Drift



625 Robert Street North
Saint Paul, MN 55155-2538

Emergency Contact Numbers

Minnesota Duty Officer: 800-422-0798

MDA Pesticide & Fertilizer Management Division: 651-201-6333

MDA Pesticide Drift Complaint form: www.mda.state.mn.us/chemicalcomplaints



MDA Pesticide Complaint Timeline



Each year, MDA receives several pesticide-related complaints. The Complaint Timeline illustrates estimates based on historical data and agency objectives. While not all complaints are related to drift or receive an enforcement action, approximately 30 percent of drift complaints receive financial penalties based on the severity of the violation of federal or state pesticide laws.

Each year, the Minnesota Department of Agriculture (MDA) receives dozens of pesticide spray drift complaints. Even if pesticides are carefully applied, drift damage can happen through volatilization creating potential health risks or damage to off-target plants, fields, livestock, wildlife and the environment.

The MDA handles drift complaints and enforces state and federal pesticide laws. If you see, experience or may have caused the pesticide drift, report it to the Minnesota Duty Officer at 800-422-0798.

The Rift Over Drift

Exposure to pesticide drift can adversely affect people, wildlife, off-target plants, and the environment. During or after pesticide application, spray can vaporize and move off target. Drift has the potential to damage crops and fields, making them inedible or unusable. Pesticide drift can contaminate ecosystems and cause economic harm by damaging crops and livestock.

When drift or adverse pesticide exposure occurs, handle medical emergencies first and call 911.

To report pesticide drift call the:

Minnesota Duty Officer

800-422-0798, day or night, 7 days per week.

MDA Complaint Line

651-201-6333, Monday-Friday, 8 a.m. to 4 p.m.

OR file a complaint online

www.mda.state.mn.us/chemicalcomplaints

If the pesticide application is alleged to have damaged a crop or vegetation, the complaint request must be submitted within 45 days of when the application occurred.

The MDA will answer questions, investigate formal complaints, visit sites, review evidence, gather samples for lab analysis, and enforce regulations. Please be aware that we do not seek compensation on behalf of a party or entity, nor does the agency provide consultant services.

Substantiating your claim of alleged pesticide drift requires cooperation and proper evidence. Without it, the MDA may not be able to substantiate allegations. We strive to help urban, agricultural and industrial pesticide users gain regulatory compliance.



Accused of Drift?

Under state law, the MDA is responsible for responding to an inspection request and enforce documented violations.

If you, your company or employees have been suspected of pesticide drift and a complaint is filed with the MDA, we require your cooperation during our investigation.

The MDA Agricultural Chemical Inspector assigned to your case will ask questions, obtain information such as maps, photos, weather records, statements, labels of products used, and check records for proper licensing and certification and possibly more.

Depending on complexity and severity, a case may take up to six months to determine if a drift violation has occurred. In the event it has, the case may be referred to the MDA Pesticide & Fertilizer Management Division Enforcement Unit.

The MDA makes every effort to be fair, impartial and discrete during the investigation process.

You can dispute a violation and may obtain a copy of the MDA complaint on file after a case is closed.



Facts About Enforcement

If inspectors document non-compliance of rules, an Order/ Notice of Violation will be issued specifying required corrections. Financial penalties may be issued even if corrections have been made and especially if violations are repeated.

When inspections are complete, enforcement staff review all documentation to determine if violations have occurred and financial penalties apply.

Drifted On?

After filing your complaint, an investigator will contact you. If the MDA believes that drift may have occurred, our agency will:

- Obtain vegetation, soil, water, pollinator, or other material samples from your property for lab analysis.
- Obtain typical information including application records, labels of products used, maps, and photographs.
- Contact you if additional information is needed and notify you in writing if a violation was determined and when the investigation is closed.

DO NOT wait to file a complaint. The longer you wait, it is less likely for the MDA to obtain essential evidence to prove drift.

DO NOT harvest, eat or destroy crops or fruits/ vegetables that may have been subject to drift until the MDA samples and depending on the circumstances, the produce may need to be destroyed.

The MDA does not analyze samples collected from anyone other than our own investigators due to sampling protocol and policies.



Facts About Inspections

Agricultural Chemical Inspectors conduct numerous inspections statewide and some site visits are unannounced.

Under state law, inspectors are authorized to visit farms, operations and facilities that use, store, handle, distribute and dispose of agricultural chemicals.

Staff investigate and sometimes specify corrections that need to be made during a site visit. They do not provide consultant services to either party involved in a pesticide drift incident.

Organic Growers

The MDA recognizes drift as a problem for organic growers.

Crops and fields can be taken out of organic production due to pesticide contamination, resulting in lost income or certification.

Communication is crucial to minimize problems between organic and conventional growers. This includes discussion about what crops each party will grow and where agricultural chemicals will be used. Although agricultural chemicals can have strong or objectionable odors, this is not a direct indication of drift.

If pesticide drift affects your organic field or crop, an MDA inspector will determine if samples are needed for lab analysis. If MDA will not collect associated samples, an organic grower can pay for detailed grid sample analysis at their own discretion. We can provide a list of labs in your area.

If the investigation documents organic crop contamination from pesticides, the MDA Dairy and Food Inspection Division may embargo a harvest or order crops to be destroyed.

We urge communication between growers and applicators, along with participation in DriftWatch <https://driftwatch.org/>, an online tool to promote awareness in order to prevent drift.

