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Debate Over Labor-Intensive Hand Weeding in Organic Community

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Ban on pulling weeds irks farm groups
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Register Correspondent

Napa Valley farms and vineyards are closely monitoring the progress of a controversial measure designed to ban the practice of hand weeding in the state.

Senate Bill 534, introduced by Senator Gloria Romero, D-Los Angeles, would ban the routine hand-weeding of most crops throughout California. The measure was narrowly defeated in the Legislature last month, but is expected to resurface when the state Assembly reconvenes in January.

According to labor advocates, halting the backbreaking method of hand weeding would protect the health of farmworkers. Opponents fear the proposal could be costly to California agricultural producers and harmful to field workers, as expensive mechanization or pesticides would become necessary for weed control.

"We support sustainable agriculture and sustainable farming methods. We can't support this bill because we believe it will lead to the increased use of pesticides," says Jennifer Kopp, Program Coordinator of the Napa Valley Farm Bureau. "If you can't remove the weeds by hand and you're not set up for mechanization as they are in the San Joaquin valley, then what are the options for the small farmer?"

Mike Falasco, legislative representative of Wine Institute, a wine industry advocacy association, thinks the bill's wording is too vague; he'd like to see it return to the regulatory process to develop a fair and enforceable resolution.

SB534 was intended to close a loophole in a 1975 state law that banned weeding crops with short-handled hoes, a practice that United Farm Worker luminary Cesar Chavez helped outlaw. Short-handled hoes made farm work excessively arduous; the law forced farms to switch to long-handled hoes, which are easier on the body, but not always gentle on crops.

Labor organizations say many farms were able to skirt the issue because the regulation failed to address hand weeding, a practice which, according to the Medical Unit of the state Division of Occupational Safety and Health, is much harder on the back, shoulders and wrists, and could expose workers to pesticides. The agency published a 1993 study that called for the adoption of a policy to address hand weeding, but all action stopped there.

"It's a very important health and safety issue for farm workers," explains Julie Montgomery, Agricultural Worker Health Project director for the California Rural Legal Assistance Foundation, one of the bill's sponsors. "We've seen large incidents of unnecessary hand weeding over several years where workers could have used long-handled tools. To require people to bend down for hand weeding when there's no need to hand weed is extremely cruel and inflicts unnecessary pain on farm workers."

Montgomery says the bill does not ban hand weeding outright. "Every time you pull a weed by hand you're not going to be fined," she contends. "This bill seeks to ban unnecessary hand weeding. When there's an available alternative and it's a non-chemical alternative, it should be used. There's no reason for farm workers to break their backs when there's another way to do it."

As legislators consider how to balance farm worker health, the environment and the state's agricultural economy, the issue highlights the assorted challenges of growing food in California.

The bill has been especially troubling for organic producers; shunning pesticides is at the heart of organic farm practices. California's organic industry is now caught in the middle.

According to Brian Leahy, Director of California Certified Organic Farmers, the economic impact of losing the practice of hand weeding could drive organic agriculture out of California.

"The growers felt like they couldn't do organic agriculture without hand weeding, and it was also the worry that first it's hand weeding and next it's hand harvesting," says Leahy. "A lot of farm work is backbreaking ... getting down on your hands and knees is hard work. There are a lot of problems with farm labor. We're not paying labor the true value of food and that's just a huge issue."

Leahy also feels some of the responsibility can be directed toward California's land grant colleges, which have spent decades addressing weed control with chemical methods instead of focusing more on weed ecology.

In the meantime, an unusual alliance of organic farmers and environmentalists, Republican lawmakers and agribusiness have united to oppose what could be the first anti-hand weeding provision in the U.S. Nonetheless, the bill's proponents expect it to pass in future legislative sessions as progressives are caught on both sides of the aisle.

For the Napa Valley Farm Bureau's Kopp, the bill introduces too many complexities without addressing the realities of pesticides, farmworkers or the economics of the valley's food and wine industry.

"It will affect the bottom line on the environment and will affect the financial bottom line in terms of switching over to newer, more mechanized systems, and it's obviously more detrimental to the farm worker population," Kopp explains. "That's the contradiction: It's supported by organizations claiming that it helps farm workers when at the end of the day I think it hurts them."

"Prohibiting hand weeding will negatively impact the farmworker population in two ways," she continues. "Increased pesticide use as a result of the restrictions on manual practices and increased mechanization reduces the number of available jobs. It's one of the classic cases of legislation where the intent doesn't always line up with the result."

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