

CITY OF MADISON COMPROMISES IN EMOTIONAL 2,4-D CONTROVERSY

By John A. Kerr, Associate Editor

In a decision that leaves a controversial issue still unanswered, the Madison (Wisconsin) City Council has reached a compromise decision on the use of the herbicide 2,4-D. It has restricted spraying from city parks and highway medians but allowed use to continue on most vegetation.

The issue has been argued hotly in Madison as well as in other parts of the U.S. and Canada in recent months. The sides are usually the same: townspeople who fear the use of chemicals and Vietnam Veterans Against the War against the agricultural/horticultural community and university and corporate scientists. Confrontations have peaked recently in Madison, the capital of Wisconsin, where many of the DDT hearings of the 1960's occurred and also where pesticides are used abundantly because of the many specialty crops produced.

Last October a member of the city's Parks Department was spraying 2,4-D and a child in a nearby home suffered a seizure. The child's parents, James and Mary Wachtendonk, felt the chemical triggered the seizure and called officials to stop the spraying. James Wachtendonk, 30, is a Vietnam veteran who was sprayed with Agent Orange at least three times and attributes his nervous system problems and the congenital problems of his son, Zachary, to the chemical. Parks Superintendent Daniel R. Stapay issued a moratorium on 2,4-D.

Since the moratorium, a member of the Dane County (Madison area) Board of Supervisors, Lynn Haanen, adopted a resolution to ban 2,4-D use in the city; the mayor issued the ban; and hearings were held before various city and county commissions. On January 27, the City Council met to issue a final ruling. A public hearing was held in conjunction with the meeting, at which a handful of University of Wisconsin professors along with Russ Weisensel, executive director of the Wisconsin Agri-Business Council, spoke against the ban. A much larger force of townspeople and Vietnam Veterans Against the War spoke in favor of the ban.

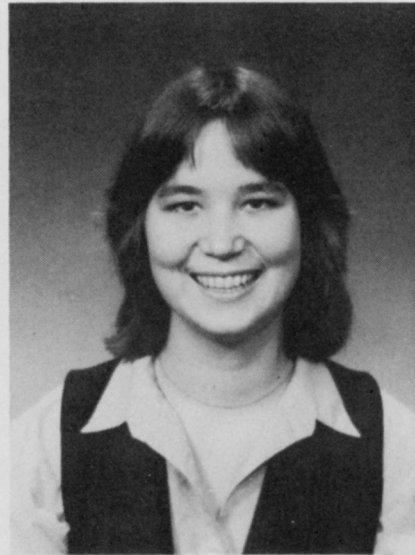
The total ban was defeated by an 11-10 vote. The final decision removes the use of 2,4-D in city parks and on highway median strips, and allows it on athletic fields, botanical gardens, farmlands, and for poison ivy and noxious weed control. This affects 50 to 60 percent of the herbicide's use in Madison. Also, a sign must be posted where 2,4-D is used for 48 hours after the application.

Weisensel says, "We (the agricultural and scientific communities) both won and lost." One vote the other way would have meant a total ban. "I hate to see a ban of any kind," says Weisensel. "It's not warranted by research." Yet he thinks they will never have a tougher group to face than the Madison City Council.

Weisensel does not consider losing 2,4-D in parks and highway medians an unmanageable loss. His major fear is that any ban will start a precedent that would give opponents impetus in battles with the county and state and that may eventually lead to a total ban on 2,4-D.

Weeds Trees & Turf spoke to leaders on both sides of

the issue. Lynn Haanen of the County Board of Supervisors introduced a resolution before the city to ban 2,4-D after the incident with the child. R. Gordon Harvey, a professor of agronomy specializing in weed science at the University of Wisconsin-Madison, did his research thesis on 2,4-D and spoke at a couple of the public hearings against the ban.



Lynn Haanen

WTT: How are you involved in this issue?

Lynn Haanen: I'm on the County Board of Supervisors. I served on the City Council last fall for about a month in an interim appointment. During that month I introduced a resolution to the City Council and the County Board calling for a moratorium on use of 2,4-D in the parks. There was an incident — I'm sure Russ Weisensel has told you about it — with a family that lived across the street from Warner Park. I had talked to people before that about specific use of herbicides. That incident quickened my action. I acted sooner than I had planned on.

WTT: What do you think of the 11-10 vote at the City Council meeting?

LH: I'm very satisfied with the compromise. It does what I think needs to be done, which is taking the heavy use of it out of the parks where there's no control over people walking in it and no way to block off the area where you're spraying it. It limits the use to the cemeteries, botanical gardens, golf courses, and the natural prairie areas. And the use in those areas, beside the golf courses, will be spot applications.

WTT: Russ Weisensel said it would cut use about 50 percent.

LH: Yes. One of the things I kept bringing up to people and bringing up to Russ was he has this theory that there will be a domino effect, that other places will stop using 2,4-D, and that fairly soon down the line agricultural use will be restricted. I don't think that's

what's going to happen at all. I'm not opposed to agricultural use of it. I think there's a big difference between the use of an herbicide in a rural area and its use in an urban area. If I were in agri-business, I would favor the restriction of its use in urban areas. The heavier it's used in urban areas the more people will object to it and the more chance people will demand it stop being used. Whereas if they use it correctly, in a rural area in agriculture where I think it belongs, people will not have a strong reaction to it because it won't be being sprayed across the street from them and in heavily populated areas. I don't have any objection for its use in agriculture; I just don't think it belongs in the city.

WTT: Did you follow the talks 10 to 15 years ago when they had the DDT hearings and after that 2,4,5-T? Isn't that what happened when banning started in small areas, spread to county and state levels, and then a total ban?

LH: The evidence against DDT and 2,4,5-T was much stronger at that point and it got much stronger. I think some chemical companies are still saying they're safe, but I think most people I've talked to agree that they're not safe and should not be used. In that case, there probably was a domino effect, but I think the reason that happened was that people recognized that those chemicals had serious flaws in them, and that even moderate use was not safe and in the long range effective to use them. I think with moderate, cautious use 2,4-D probably is safe. It probably can be continued to be used. I've seen contrary studies that say it's dangerous, it's very safe, and some say it's not all that dangerous and it's not all that safe. There's evidence on both sides and there's a lot of conflicting evidence. I really disagree with someone who will say it's perfectly safe. And I hear farmers say that they've been practically weaned on this stuff so it must be safe. I think that's the wrong attitude towards any chemical that you use.

WTT: You don't think it will affect the parks in any way or the highway medians by not using it?

LH: No, because the use that they're restricting in Madison is to kill the dandelions. I personally feel — and I've talked to a lot of people about this — that it's not important to have a perfectly green park. I personally consider it rather ugly. I think for its use to kill dan-

delions and thistles, we can either not kill them or remove the growth of thistles manually. I don't think it will affect the parks adversely.

WTT: So it's not allowed to be used in any area of the parks?

LH: It will not be allowed in the turf areas of the park. However, it does allow them to use 2,4-D in the Madison Park areas that are prairies. I think there are two areas where they're trying to preserve the natural

“I personally feel that it's not important to have a perfectly green park.”

prairie. I think in those areas they spot apply to kill the black lotus and some of the European plants that are taking over. I feel more comfortable with that also because the people who are doing that are botanists who I think have a healthy respect for chemicals and who use them very judiciously.

WTT: Do you think this issue will go to the county?

LH: It will be going to the county but you have to remember that the county does not have home rule. So when we talk about limiting county use, we're talking about county governmental use, not use by private citizens in the county. What I anticipate will happen is that the county will establish criteria and restriction for its use. The county is a different situation than the city in that Dane County previously stopped using all chemicals, and since then has slowly added a few chemicals that they will use in very limited amounts. The county's use has been much less than the city's use in the past.

WTT: Doesn't the county do the work along the highways, too?

LH: Yes. The person who supervises that is very careful and they don't use it unless it's absolutely necessary. They also have the option of going in and doing the work manually. They don't have to use a chemical if they prefer not to. There's at least one area supervisor I know who prefers to do the work manually and not use a chemical. There's also a real big difference between using it along the county roadsides and along the city parks or even in the county parks.

WTT: Because of the population?

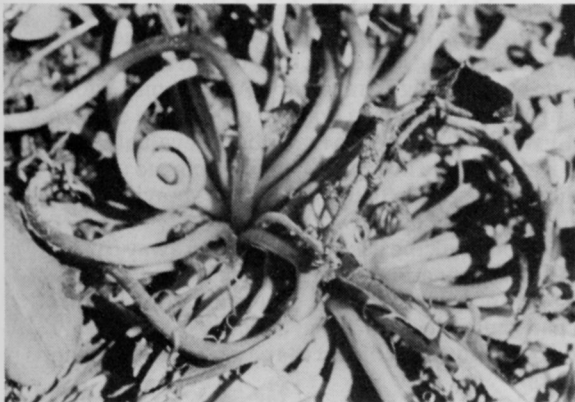
LH: Yes. There aren't as many people who will be walking along the roadsides. Use along the roadsides also blurs into the whole agricultural use because one of the main reasons we do that is so the noxious weeds don't spread into the fields right next to them. And so it's to assist the farmer because if we don't control the weeds and vines on the property we own, it spreads into their property.

WTT: The supporters heavily outnumbered the proponents to the ban at the City Council meeting. Who are the majority of supporters?

LH: They're just people. There's no organized group. Most of the people there I did not know. They heard about it and came themselves. They're people who live in the city and are concerned about it and want to see the use of 2,4-D cut back or stopped.

WTT: Isn't the Vietnam Veterans Against the War a big

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Selective effects of 2,4-D on dandelion while neighboring turf is unharmed. Higher mowing and physical removal are the park systems recommended alternatives to 2,4-D.



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group against the use of 2,4-D?

L H: They are nationwide working to get people to reexamine their use of chemicals. I have worked with them in Madison, but they are by no means the overriding force and organizers behind it.

WTT: We have heard that one reason the Vietnam Veterans Against the War support the ban is that they have a lot of court cases, and if a ban would go through they'd have more success in those cases.

L H: I don't quite understand that rationale because 2,4,5-T is under very restricted use right now and that's one of the components of Agent Orange. And I think they already have quite a good case in terms of what dioxins can do. I've never heard anyone relate it to their court case. They're simply concerned because they feel they cannot afford to be exposed to any phenoxy herbicides anymore. And they feel that when they are exposed it hurts them. Some people might consider their reaction to be an overreaction but considering what they have gone through and the kind of treatment they've gotten from the government, I don't consider it to be an overreaction at all.

WTT: There seems to be no medical evidence that the seizure the child had was caused by the herbicide. Has there been anything more said about that?

L H: The doctor examined the child and wouldn't say conclusively what it was. However, the Department of Agriculture came out and tested the house, both inside and outside, for how much herbicide was in the air and on the surface. And it was pretty astounding how much they found. So the drift was quite large. It's a real hard issue, because Zak (the child) was doing fine until they started spraying that evening and he got progressively worse as they continued spraying the next morning. And I guess I tend to feel that since they found at least a half dozen children in the neighborhood also got sick when the park people were spraying, there's reason to believe that some people are sensitive to the chemical when exposed to it.

WTT: There was more than one child who got sick?

L H: Yes, there were other people in the neighborhood who have children that got sick. People are real hesitant to talk about it and real hesitant to go public with it because the reaction they get from some people is that you're overreacting and hysterical.

WTT: You don't think farmers should stop using 2,4-D?

L H: No, personally unless the EPA were to decide that farmers couldn't use it, I don't feel that the farmers should stop using it. My only concern is that they look at how they're using it and that they look at whether the amount they're using is necessary. At this point I don't think there's going to be a domino effect. The domino effect I would like to see is that cities reevaluate their use of it and decide how much they're going to use and whether it's necessary to use it if they're spraying it in a densely populated area.

WTT: Do you think the use it's being taken away from is going to have any effect on the park lands?

L H: No, the only harm might be more dandelions, but I don't particularly consider that a harm.

WTT: Do you think it will cost the city more to maintain the parks?

L H: They're going to have to cut the grass higher. The grass is not going to be as short as it has been in the past. There may be more labor time, but at this point the

Parks Department has not said this is going to be the case at all. They're not anticipating spending more on labor.

WTT: What is your involvement with the 2,4-D controversy in Madison?

Dr. R. Gordon Harvey: I did my research Ph.D. thesis on 2,4-D. I had to become familiar to an extensive degree on the literature relating to it. Since then, I've had a research student do a paper on it. I teach a weed control course at the university. I probably have as much familiarity with 2,4-D as anyone in the community. Thus when the Vietnam veterans seek to have it banned, I use my experience and familiarity to establish a degree of logic and scientific perspective on the controversy.

Testimony was limited to three minutes. The uninformed has time to cry and be emotional. A knowledgeable scientist must give his qualifications and describe a complicated issue in the same three minutes. The city does not seek contacts as does EPA.

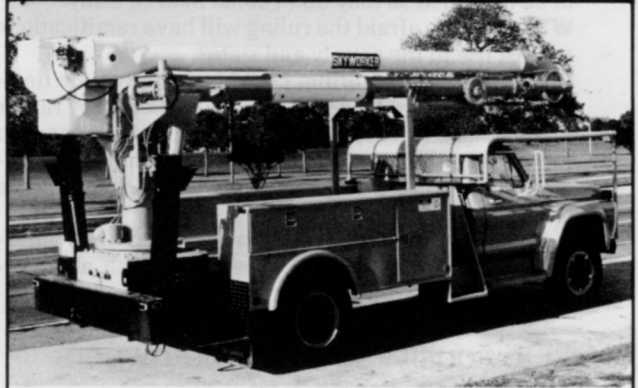
WTT: How do you feel about the ruling by the City Council?

RGH: I have serious misgivings about the conduct of the City of Madison's decision-making process. When the controversy arose, the Department of Health had a hearing. They published its notice on the back page of the newspaper. Only those proponents of the ban who were informed could attend. I saw the notice and was the only one to attend against the ban. Unlike EPA who seeks contacts, the Department of Health in the city depends solely on hearings of people in the city. At the hearing on Tuesday (Jan. 27, when the final vote was given), the City Council questioned their own ability to make decisions regarding hiring of employees by the city. Yet no one questioned their ability to make decisions of a scientific nature regarding the use of a pesticide when their only information came from a public hearing. Testimony was limited to 3 minutes per person. A scientist working for years on a pesticide and familiar with the extensive literature available has to introduce himself, give his qualifications, and review the issue. It's almost impossible. The uninformed has time to cry and be emotional. I find the whole procedure inappropriate for governmental action. They must familiarize themselves with the scientific literature, not just listen in a hearing room, not just base their response on emotion alone.

The action taken has minimum impact in terms of a deliterious effect. I teach in my class that no herbicide or pesticide should be used needlessly. The City Parks Department insisted that they be allowed to continue use of 2,4-D in cemeteries, golf courses, and other areas considered from their experience. But in a general park area where children play, people walk around, they felt there was no reason they couldn't reduce the use there, modify use by changing cultural practices, such as mowing, fertilizing. They felt they

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could stop using it for a few years while it is being studied. Even if weed problems become severe, if bee stings become severe, they're locked into little flexibility in countering these problems. The principle of using it judiciously was good but the interpretation was probably a little too strong and reduced flexibility.

Also, the City Council requested that the park put up signs for 48 hours to indicate use. I don't think that's unreasonable; I think it's unnecessary. If people want to be informed so they don't come near it, Okay.

WTT: Are you afraid the ruling will have ramifications against use in the county and state?

RGH: A full moratorium could have. Any time decisions like this are made for political expediency rather than scientific review, other communities tend to follow this, thinking that there was a scientific background. There is always the fear that this could have fallout in other areas.

City and county governments are based upon aldermen and elected officials, positions which are part-

“Obviously, some home-owners relish nice green turf without yellow flowers.”

time and outside their normal profession. They don't have the time to seek out officials on their own. They have a hearing process to get the story.

WTT: What is 2,4-D used for in the parks?

RGH: Dandelions are the most obvious. Also, various species of thistle. It has less effect on chickweed and white clover. Since there is no scientific basis that to use it is hazardous and we have 35 or 36 years of safe use history, it's not logical to switch to MCP or 2,4DP, which are also used. There's no reason to think they're any different. White clover is slicker, causes more falls, and stains more than bluegrass turf. A phenoxy complex can successfully control both. I don't want to encourage the widespread use of dicamba because of the possible greater hazard with drift and nearby shallow rooted shrubs. It is absorbed easily by roots.



Typical drift damage to deciduous tree more likely to occur with some substitute chemicals (above). Roadside use is still permitted to prevent weeds spreading to farm fields (right).

The noxious weed law in Wisconsin requires that Canadian thistle, leafy spurge, and field bindweed must be controlled. Phenoxies are not equally controlled. Unless the state law is amended, the city would be in violation of the law. It appears that 2,4-D was the best control.

WTT: Are there any alternatives?

RGH: The only alternatives — the law says they must be prevented from going to seed — are mowing, which is very costly, and dicamba, but if the weeds are by shrubs they could be damaged. It causes probably 10 times more drift damage than 2,4-D. Those are the only major alternatives.

WTT: Are there any other reasons why 2,4-D should be used?

RGH: Aesthetic aspects as well. Obviously some homeowners relish nice green turf without yellow flowers. If growing uncontrolled in city parks, homeowners will have more problems controlling them. A small percentage were treated annually as it was. Even noxious weeds were not always controlled. Poison ivy and ragweed could increase without the use of herbicides. They can be controlled by mowing and hand pulling, but I'd like to use as many alternatives as possible.

WTT: Do you think there's reason to fear the use of 2,4-D?

RGH: There is no evidence at the present time that would suggest the least hazard presented to the public for using this material. We've used it for 36 years — farmers, foresters, and city employees around the country. Close to 2 billion pounds have been used. It's one of the most widely used pesticides ever and there has been no demonstration of adverse effects from it. To my knowledge, seven cases come to mind in which there's been nervous disorder to someone. They frequently were using other materials and other factors were involved — diseases, contaminants, and psychosomatic conditions. Because of these seven cases though, the EPA did tests on nervous systems. EPA last April had indicated no reason to take any action to stop 2,4-D's use, but because the herbicide was developed so long ago, some of the research did not meet some of the currently accepted laboratory practices. They asked manufacturers to do studies on carcinogenicity, reproductive problems, and other disorders. A number of studies had been done on carcinogenicity and these did not show any problems, but because of insufficiency in the technology they wanted them re-

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peated. Reproductive studies were done intensively and an EPA advisory report said that it could show no effective levels that are higher than human exposure. These are justifiable things. It's impossible to prove a negative, that 2,4-D is not harmful. Studies can't always define every situation. You have to study the benefits of continued use to see if they outweigh any contradictory evidence. I'd rather see any contradictory evidence. I'd rather see the old experience that is proven more than something newer, not as well tested. The city parks department has been using 2,4-D for 25 years without complaint.

WTT: Do you think medical evidence may show that the child (Zachary) was affected by the spraying of 2,4-D?

RGH: There's no reason to believe this. It is generally accepted that the applicator is the most likely person to be the most exposed. No correlation has been observed previously of this type of symptom. Nothing in scientific literature lends credibility to the father's claim. The doctor claimed the child had a history of these types of seizures. A neurologist testified at the hearings that there was no correlation between the child's history and 2,4-D. It occurred in an uncontrolled situation; there is no way to control the circumstances. The family hasn't given medical evidence to confirm or deny the accusations. All you have to go by is the parent's opinion that this seizure had to do with the use across the street at the park.

WTT: What do you think will happen to this issue in the future?

RGH: I have no idea. In this city because of liberal politics, the tendency for an emotional reaction that's traditionally taken place — anything is possible. The health director wanted stoppage of the use of all herbicides. This wasn't based on any data, but on his own emotional concerns. He didn't talk to anyone about herbicide chemistry.

Nationwide, many people and organizations are trying to stop the use of any type of pesticides. They wish to go back to organic farming, and are anti-technology. Many are very well meaning. It is their privilege to have these beliefs. Based on these feelings, their basic philosophy is to raise the 2,4-D question in every town hall, county commission, and school hall — to get the word "herbicide" in the press as much as possible to raise the excitement of the public.

I believe logic will prevail; decisions will be made on scientific review and analysis. I sure hope this is the case. Otherwise, the future of the country is in trouble. There's no guarantee that there won't be some discovery of a hazard with 2,4-D or anything. Who knows what will come along? I hope whatever happens is based on scientific review, not on emotional, unscientific data.

WTT



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