



Weeding Out Seasonal Risks: Herbicide/Pesticide Use and Liability

This time of year represents a major peak period for your business — weeds and unsightly plants are growing in full force, powered by spring rains and more seasonable temperatures, and damaging insects are out in search of tender young plants to eat.

As a landscaper, you'll need to control these pesky issues, often requiring the use of powerful chemicals known as pesticides. Pesticides are broken down into specialties: herbicides for weed control, insecticides for insects and fungicides to help control diseases that would otherwise damage or kill valuable plants.

No matter which kind of pesticide is required on your job site, these chemicals are dangerous due to their health and environmental risks — people can become seriously injured, ill and even die depending on their exposure levels. Because pesticides often require repeat applications during this time of year to manage issues, such as insect or disease outbreaks, it's essential you have the proper safeguards in place to protect your business should their use go awry.

The Dangers of Pesticide Exposure

Pesticides are a class of substances intended to prevent, destroy or repel pests, according to the [National Institute of Environmental Health Sciences](#) (NIH). Due to their widespread use, with more than 800 pesticides registered for use in the United States, it's important to carefully manage their application to reduce exposure to harmful residue.

The [Michigan Occupational Pesticide-Related Illness and Injury Surveillance program](#), a creation of the College of Human Medicine, Occupational and Environmental Medicine Division at Michigan State University (MSU), tracks adverse work-related exposures to insecticides, herbicides, fungicides, rodenticides, disinfectants and various other substances — all products commonly utilized by landscapers.

Use of disinfectants, such as bleach, ranked highest in 2025 as the most common cause of work-related pesticide illness and injury cases, followed by insecticide, herbicide, fungicide and multiple exposures. In one example cited by the program, a female worker was applying an herbicide when it blew back into her face, causing her to develop a blister on her face and burns on her face and hands.



Whether one of your employees or a third-party, such as a client or neighbor, is exposed, the potential repercussions can be severe, with health effects including:

- Irritation of the nose, throat and skin.
- Sneezing and wheezing.
- Burning, stinging and itching.
- Rashes and blisters.
- Dizziness, nausea, vomiting and diarrhea.

In **advanced pesticide poisoning cases**, those affected can experience changes in heart rate, difficulty breathing, convulsions and coma, which could eventually result in death.

Too much pesticide exposure among our four-legged friends, such as **outdoor cats and dogs**, can also lead to detrimental health effects. Depending on the pesticides used, animals may experience psychological effects, such as standing in abnormal postures, vocalizing in an unusual manner and convulsions, in addition to tremors, gastrointestinal upset, high fever and even death.

Now that you understand the risks inherent in pesticide use, let's cover the ways you can protect your clients, your business and your bottom line against unintentional exposure.

Herbicide/Pesticide Liability Insurance

Before you or any member of your crew visits a new job site, it's essential to have the proper liability protections in place for anything that should go awry, such as third-party injuries and property damage. The same goes for the application of pesticides and herbicides; if it's part of your service offerings, it's essential that you carry Herbicide/Pesticide Liability Insurance.

The benefits of this coverage include:

- **Assistance with health-related claims** – No matter how careful you and your crew are, accidents can happen. When those accidents involve pesticide use, there is an inherent medical risk that requires prompt attention. Carrying this insurance can provide valuable peace of mind against any health issues or medical care arising from your chemical application, covering medical and legal costs associated with these claims.
- **Protection against environmental damage costs** – Pesticides and herbicides are strong, concentrated chemicals and putting them in the wrong area or applying them under the wrong weather conditions can cause significant negative environmental impacts. Coverage can include remediation costs for the affected area and any legal fees arising from the incident, such as if you are sued by an affected neighbor or municipality.

- **Helps support regulatory compliance** – Michigan has a number of **laws and regulations** governing pesticide use, including penalties for noncompliance. If your business runs afoul of these regulations, netting you non-compliance fines or penalties, this coverage can help protect your bottom line by providing financial support in the event of an audit or investigation.
- **Relief from legal defense costs** – If your business’s pesticide application causes a homeowner to become ill, damages an heirloom rose bush or causes a beloved pet to need emergency veterinary care, those affected by your perceived improper pesticide spraying will likely sue your business in order to be made financially whole again. This policy can help cover legal defense costs that can quickly pile up, such as attorney’s fees and court costs. Damages arising from injured or poisoned pets will likely be covered under the coverage’s third-party property damage, but check for any enhancements that specifically mention animals.

Herbicide/Pesticide Liability Insurance is required to protect your business against any third-party claims arising from your use of these chemicals. When it comes to your employees being affected by pesticides and herbicides, such as acute exposure or an occupational disease that develops over time through repeated use, your Workers’ Compensation Insurance will assist with any claims regarding their medical treatment, rehabilitation and any lost wages.



If you have questions on securing Herbicide/Pesticide Liability Insurance and other ways you can protect your landscaping business against liability exposures, such as a free risk analysis, contact MNLA’s insurance expert, **Ashley Thomas**, at **918.764.1619** or **ashley_thomas@ajg.com**.

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