

Sample of Report of Loss (ROL) for 2009 Gypsy Moth Spray and Special Instructions

See Sample Report of Loss form that is partially filled out with the name of aerial operator (Farm and Forest Helicopter Services) and the address and phone number for the pesticide operator, etc. This is printable if you want to use this partially filled out form to complete for your Report of Loss (ROL).

Since the Landowner was not the person for whom the pesticide was applied, I changed No. 8 - Landowner to read "Government Agency" for whom the pesticide was applied and listed Oregon Department of Agriculture (ODA). This holds both the aerial operator and ODA responsible for any damage.

Please read the ODA instructions given with the original Report of Loss form to make sure you fill out the rest of the form properly.

You can list medical illness or health effects in No. 4 on the form. Also you can state that you believe it was a violation of your human rights, and your Constitutional rights (both Oregon and the United States Constitution) if you believe that those rights were violated. Please see Dr. Thomas Kerns' excellent presentation to the Southeast Neighbors meeting on May 5, 2009 at:
<http://www.oregontoxics.org/pesticide/gypsymoth/gypsymoth.html>

Also please read the Human Rights Report regarding the Gypsy Moth Spray Program by Dr. Kerns at:
<http://www.forestlanddwellers.org/News/GypsyMothSpray/HumanRightsAndGypsyMothSprayPrograms/>

You can also list contamination of your residence, your property, your gardens, and any other form of property you believe was contaminated by the aerial spray.

When you have completed your form, make at least one copy for your records. Keep in a safe place with other important documents.

If you wish to have copies sent to Oregon Department of Agriculture, and to Farm and Forest Helicopter Services, Inc. for you, we will organize a mailing to these parties for you.

Another form called the Notice of Tort Claim is required to be filed with the State of Oregon, if you want to preserve your rights to file for damages against Oregon as well as against Farm and Forest (the actual aerial pesticide operator). This Notice of Tort Claim must be filed within 180 days of the incident (1st Gypsy Moth spraying was April 30th). We can also assist you with this form.

I will post contact information to assist you with any questions you may have shortly.