

41. Farmers Farm

By ReadWorks

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Business people do business, musicians make music, teachers teach, and farmers farm. Right? Yes, but there have been times when a farmer's right to farm has come under attack. You might be thinking, "How can someone be prohibited from pursuing his or her occupation?"

Farmers generally sow seeds in rural land: land that is far from cities. They need the open space, as many farms are very large, spanning over 400 acres on average—that's over 300 football fields! And some cover even more ground; corn farms considered "large" must be over 500 acres!

Farms also come with their share of smells and sounds that aren't always pleasant. Drive past a dairy farm or a pig farm on a hot summer day, and you'll understand! Farming in rural areas typically means farming near fewer people, so neighbors don't have to worry about waking up to tractors coughing and roosters crowing right next door.

There is a current trend of people looking for a break from the noise and other troubles of cities, which sometimes means moving to the country; however, they may face different kinds of noise and troubles in rural communities. For example, big feedlots, where hundreds of cattle and thousands of chickens are raised, are noisy, smelly, dirty operations. Farm equipment can also be noisy. Wide croplands can mean lots of dust and pollen in drier times, which can aggravate sensitive lungs.

Some people get angry about these things and sue farmers based on public or private nuisance laws. A nuisance is someone or something that infringes on a person's ability to enjoy his or her property, or that threatens the health and safety of a community.

Farm practices that are unregulated or dangerous and cause harm to the public—contamination of water supplies, for example—are definitely taken seriously in court. However, farmers often find themselves under attack for things that are simply facts of life on a farm. These “nuisance” lawsuits became so prevalent across the United States that farmers were beginning to suffer. Being forced to change standard practices or relocate feedlots or fields can hurt a farmer's business.

So, lawmakers began to create protective measures in favor of farmers. These are called “right to farm” laws, and they are now enacted in every state. Essentially, they are what they sound like: laws that protect a farmer's right to conduct his or her business. How do they do that?

Right to farm laws start by informing residents about the presence of a farm and its farming methods. The right to farm laws let the public know that farms do affect surrounding areas and that, to some degree, these effects must be accepted by people living near a farm. The laws also inform residents about the limitations of local nuisance ordinances, letting people know what is or is not considered a reasonable complaint.

Right to farm laws do not completely shield farms from lawsuits. Before action can be taken against a farmer, however, a court must ask some important questions: What is the degree of harm being caused? Does the activity in question threaten health, or is it just inconvenient? Are effects of the purportedly damaging activity lasting or temporary? How long has the farm been practicing its methods without coming under criticism?

These are important factors upon which a court evaluates a case. If a farmer has been contaminating water supplies and causing excess pollution, thereby harming the community, that farmer may indeed have to change his or her ways.

But if the farmer's techniques have done nothing but keep a neighbor from a backyard barbecue because of the smell of manure or noise of machines, then the neighbor might just have to get used to living in the country!

Name: _____ Date: _____

1. Why do farmers typically farm on rural land?

- A because farms need the open space
- B because rural land is inexpensive to buy
- C because they are not allowed to farm in cities
- D because farms are noisy and smelly operations

2. The cause of complaints against farmers were nuisances like smells and noises. What was an effect of the complaints?

- A More people began to move to the country to escape city noises.
- B People living near farms were forced to accept some nuisances.
- C Farmers were forced to change their practices or relocate feedlots.
- D Dust and pollen from wide croplands can aggravate lungs in dry times.

3. Farms and farming practices can cause annoyances for some people. What evidence from the passage best supports this conclusion?

- A Some people move to the country to get away from city noises.
- B Farming in rural areas typically means farming near fewer people.
- C Farm practices that harm the public are taken seriously in court.
- D Large feedlots with animals can be noisy, smelly, and dirty.

4. Read the following sentences: "There is a current trend of people looking for a break from the noise and other troubles of cities, which sometimes means moving to the country; however, they may face different kinds of noise and troubles in rural communities... Some people get angry about these things [noises and smells] and sue farmers based on public or private nuisance laws."

Based on this information, what conclusion can you make about the people who complained about farming "nuisances"?

- A They were most likely generally tolerant and laidback people.
- B They were most likely not familiar with the realities of farm life.
- C They were most likely not excessively bothered by loud noises.
- D They were most likely familiar with the realities of farm life.

5. What is this passage mostly about?

- A the origin of right to farm laws
- B the smells and noises of farms
- C people who moved to the country
- D differences between public and private nuisances

6. Read the following sentences: "However, farmers often find themselves under attack for things that are simply facts of life on a farm. These 'nuisance' lawsuits became so **prevalent** across the United States that farmers were beginning to suffer. Being forced to change standard practices or relocate feedlots or fields can hurt a farmer's business."

As used in this sentence, what does the word "**prevalent**" most nearly mean?

- A unlikely
- B rare
- C common
- D unpredictable

7. Choose the answer that best completes the sentence below.

Private nuisance lawsuits against farmers became very prevalent in the U.S.; _____, many farmers' businesses were suffering.

- A however
- B for example
- C initially
- D as a result

8. What do right to farm laws protect?
