

I need to find style for U-pick.. just not sure. dsv

Inviting customers out to the farm is more than fun and games

By Camille Phillips

When I was a child picking blueberries at Persimmon Hills Berry Farm, the idea of getting stung by a bee or suffering from heat stroke never entered my mind. All I cared about was putting as many ripe berries in my pail as I could. But it is on the mind of some Midwest landowners involved in agricultural tourism, known as agritourism. More specifically, they are concerned about being liable for customers being injured on their land.

Outside Frank and Melanie Gieringer's U-pick peach orchard in Edgerton, Kan., is a waist-high sign declaring that the Gieringers aren't liable for accidents. It is part of a law that Kansas passed in 2004 to help develop agritourism in the state.

Frank Gieringer said the law helps because although they tell people not to climb the peach trees, children still do so.

"If Junior climbs to the top of the tree, falls out of the tree and breaks his arm...read the sign out there. This is an inherent accident...don't come back and threaten to sue me," he said.

The law grants limited liability to agritourism operators if they post warning signs and aids with marketing and promotion via registration with the state agritourism agency. It also is designed to make it easier to obtain liability insurance.

Linda Craghead with the Kansas Department of Wildlife, Parks, and Tourism said that the law helps by putting "an incentive in place to encourage our farmers and ranchers to consider getting

into the agritourism business by providing them protection from the consumer who might have other motives in mind.”

As Harvest has previously reported, similar bills have been introduced in Nebraska and Missouri, but have yet to make it into law. (Iowa does not have such a law either.)

Carolyn Raasch would be happy to see it become a law in Missouri. She and her husband Buddy are the owners of Carolyn’s Country Cousins in Liberty, Mo. Thousands of schoolchildren come out to their pumpkin patch every year.

“It would definitely give us peace of mind,” Raasch said, adding that it would help them with liability insurance. “Everything has become harder in the insurance world since 9/11...It’s been extremely hard to find liability insurance...”

But Raasch wouldn’t want to put up a big warning sign like the Gieringers have.

“We don’t want to scare people,” she said. “And we don’t want to really have a problem with that. We have had no problems, so we really don’t want to suggest anything.”

Even though the other three states don’t have laws limiting liability for agritourism businesses, they do have programs designed to help develop agritourism. In Missouri, producers can join AgriMissouri for \$50 a year. According to the state department of agriculture, AgriMissouri grew from 350 to 1,400 members last year, following a program overhaul.

The agritourism program in Kansas has comparatively few members — 350, despite free registration.