



Washington State Department of Agriculture News Release

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WASHINGTON STATE DEPARTMENT OF AGRICULTURE
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Agriculture Department issues fines for pesticide and fertilizer violations *Incidents involved faulty home pest inspections, spray drift and fertilizer guarantees*

OLYMPIA – During the first quarter of 2008, the Washington State Department of Agriculture (WSDA) issued fines totaling \$11,186 and imposed license suspensions for violations of state pesticide and fertilizer laws and rules. Fines ranged from \$200 to \$4,000 for incidents that involved distributing adulterated fertilizers, making false and misleading statements about pest infestations, and causing damage to crops and residential landscapes from herbicide drift.

WSDA completed investigations in seven counties, including Chelan, Clark, Grant, Kitsap, Pierce, Whatcom and Whitman counties. The agency issued fines or license suspensions in the following cases:

Alpha Ecological Pest Control, Vancouver, and Greg Graves, Poulsbo. WSDA alleged that in August 2006 and in May 2007, Alpha Ecological Pest Control and Graves made false statements about pest infestations and failed to issue a wood-destroying organism report prior to treating a house in Poulsbo for carpenter ants and termites. The matter was resolved when Alpha Ecological Pest Control agreed to pay \$4,000, and Graves agreed to pay \$780.

Brad Anderson, Anderson Home Inspection, Tacoma. WSDA alleged that in May 2007 Anderson conducted a structural pest inspection on a house in Lakewood, but was not licensed for the work. The matter was resolved when Anderson agreed to pay \$600.

Scott Deschryver, Lighthouse Home Inspection, LLC, Silverdale. WSDA alleged that in March 2007 Deschryver failed to properly diagram his findings and failed to identify the specific evidence of infestation during a structural pest inspection that he conducted on a house in Port Orchard. The matter was resolved when Deschryver agreed to pay \$200 and accept a two-day license suspension.

Bernard Eskildsen, B&R Aerial Crop Care, Inc., Connell, was fined \$450 and his license was suspended for seven days. In July 2007, Eskildsen sprayed a vacant field near Mattawa to control weeds. Cherry trees in a nearby orchard were damaged by the herbicide spray drift.

David Twitchell, Pests-Or-Us, Inc., Wenatchee, was fined \$350 and his license was suspended for five days. In July 2007, Twitchell sprayed a vacant lot in East Wenatchee to control weeds. Winds were strong at the time of the application, causing the spray to drift onto a neighboring residence and damaging the landscape.

Whatcom Farmers Co-Op, Lynden. WSDA alleged that some fertilizers sampled at the facility during inspections in 2007 were deficient in nutrient content, below the guaranteed analysis. The matters were resolved when Whatcom Farmers Co-Op agreed to pay \$1,606.

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Brian Windsor, TLC Flying, Inc., Colfax. WSDA alleged that during multiple incidents last spring and summer, Windsor made herbicide applications that damaged neighboring crops and residential landscapes. The matter was resolved when Windsor agreed to pay \$3,200 and have his license suspended for 21 days.

Penalty matrix used by WSDA to levy fines and suspensions

A penalty matrix is used to ensure penalties are uniform and fair. The matrix takes into account the seriousness of the violation, whether it is a first or a repeat offense, and whether there are any aggravating or mitigating factors involved. Larger penalties often reflect repeat offenses or multiple violations within the same incident.

WSDA enforces state and federal laws to protect people, property and the environment against the improper use of pesticides. Staff also provides technical assistance to the pesticide industry and consumers, and enforces the rules on structural inspections for wood destroying organisms, such as wood rot, carpenter ants, termites and wood-boring beetles. About 200 allegations of improper distribution or misuse of pesticides, or faulty structural inspections are investigated each year.

To file a complaint involving the misuse of a pesticide, or to find out if a pesticide applicator or structural pest inspector is licensed, call (877) 301-4555.

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