



# 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 violations — 3<sup>rd</sup> quarter totals**

**OLYMPIA** – The Washington State Department of Agriculture (WSDA) issued \$2,900 in fines for violations of state pesticide laws and rules during the third quarter of 2008. Fines ranged from \$100 to \$1,500 for incidents that involved the misuse of a pesticide at an elementary school, to improper record keeping and failing to issue a wood-destroying organism inspection report.

WSDA completed investigations in Skamania, Franklin, Grays Harbor and Skagit counties. The agency issued fines or license suspensions in the following cases:

The Mount Pleasant School District, Washougal, and its superintendent, Michael Hyde, were fined \$900. School officials were attempting to control an outbreak of lice this past January at the Mount Pleasant Elementary School in Skamania County. School Superintendent Michael Hyde directed teachers to spray students' coats with a pesticide. The spraying was done while students were away at recess in the school gym. Several children, however, became ill from exposure to the insecticide. The pesticide label prohibits use on humans and clothing.

In addition to the fine, WSDA advised the school district to comply with requirements to notify parents each school year about the district's pest control policies. Requirements also call for providing notification 48 hours in advance of a pesticide application.

Kathryn Weisz, Pasco, was fined \$400 and her public operator license was suspended for two days. In May, Weisz applied a pesticide at a Pasco school parking lot and sidewalk. Although the herbicide application did not result in damage or injury, it wasn't labeled for use in those areas. Weisz also failed to maintain adequate pesticide application records.

Sherwin Phillips, Advanced Pest Prevention, Aberdeen. WSDA alleged that in April, Phillips failed to issue wood-destroying organism reports as required. WSDA also claimed that Phillips was not maintaining sufficient pesticide application records. The matter was resolved when Phillips agreed to pay the department \$1,500.

Martin Gonzalez, Dependable Maintenance, Mount Vernon. WSDA alleged that in June, Gonzalez failed to submit pesticide application records that were requested by agency staff. The matter was resolved when Gonzalez agreed to pay \$100.

### **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.

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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, or termites. 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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