



# Washington State Department of Agriculture News Release

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## **Agriculture Department issues fines for pesticide violations** *4<sup>th</sup> quarter cases found several pesticide worker safety issues*

**OLYMPIA** – The Washington State Department of Agriculture (WSDA) issued fines totaling \$21,575 and imposed license suspensions during the fourth quarter of 2009 for violations of state pesticide laws and rules. Fines ranged from \$450 to \$5,400 for incidents that involved pesticide drift and the illegal sale of pesticides. Eight of the 15 completed cases involved violations of standards designed to train and protect agricultural employees who work with pesticides.

WSDA completed investigations that occurred in Benton, Chelan, Franklin, Grant and Yakima counties. Summaries of the investigation findings below are generally arranged by county. Fines or license suspensions were issued to:

Teresa Page, Heritage Professional Landscaping, Kennewick, was fined \$450 and her license was suspended for seven days. In September 2008, Page inadvertently added a herbicide to her spray mix that was not meant to be applied to turf. She then made an application of the mix and damaged a section of greenway at a housing development in Richland.

Charles Jennings, Turf Pro Tree and Lawn Care LLC, Prosser, was fined \$5,400 for operating his pesticide application company last March without the required license. Jennings was also not maintaining adequate pesticide application records.

Dale Boyd and Angel Ortega, both from Peshastin, were fined \$900 and \$450, respectively, for a pesticide drift incident that occurred last April. Ortega was supervising a pesticide application to Boyd's orchard when the pesticide drifted or was over-sprayed onto a woman living in a nearby house. Contamination of the woman's property was extensive and the woman became ill as a result of the exposure. In addition to paying the fine, Ortega's private applicator license was suspended for seven days.

George DesBrisay and Simplot Grower Solutions, Umatilla, Oregon. In October 2008, Joseph Moore and other employees of DesBrisay and Simplot Grower Solutions applied a soil fumigant through the irrigation system to a 133-acre field near Pasco. Family members in a house very close to the field reportedly experienced symptoms and one woman became ill from fumes that were escaping from the field. WSDA alleged that the employees of Simplot Grower Solutions did not take the necessary steps to ensure the safety of nearby residents. The residents were not moved out of their houses and were not notified in advance of the application. Additionally, the application was not shut down when weather conditions caused the fumes to move toward the residences. The matter was resolved when DesBrisay and Simplot Grower Solutions agreed to pay \$2,775 and accept a two-day suspension of their license. Moore agreed to pay \$1,250 and also accepted a two-day suspension.

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Nathan Wilson, Royal Flying Service, Royal City. WSDA alleged that an aerial herbicide application made to a wheat field by Wilson in April 2008, drifted and damaged orchards that were two miles and further from the application site. The matter was resolved when Wilson agreed to pay \$450 and accept a seven-day suspension of his license. In the settlement agreement, Wilson denied that his application drifted and caused the damage.

Bleyhl Farm Services, Inc., Zillah. WSDA alleged that from May 2007 through March 2009, Bleyhl sold federal restricted-use pesticides on multiple occasions to an individual who was not properly licensed to purchase or use the products. Bleyhl was also not maintaining sufficient records of their pesticide sales. The matter was resolved when Bleyhl agreed to pay \$1,600.

Eugene Hall, Quality Spray Service, Yakima. WSDA suspended the license of Hall and Quality Spray Service for six days. Last September Hall provided false information to enforcement staff in an attempt to impede an investigation involving his former employer, Charles Jennings, of Prosser.

#### **Pesticide Worker Protection Standard violations**

While conducting inspections at farms for compliance with Worker Protection Standards (WPS), WSDA staff found common problem areas. In most cases agricultural employers had failed to provide adequate decontamination supplies or personal protective equipment for pesticide handlers. In some cases, personal protective equipment was not properly cleaned and maintained. Training on pesticide safety was also insufficient at times.

Fines related to WPS inspections conducted this past spring or summer were issued to:

- Adolfo Alvarez, Alvarez Farms, Prosser—\$700
- Derek Hill and Oasis Farms Inc., Prosser—\$700
- Henry Schinkelshoek, Schinkelshoek Farm LLC, Prosser—\$1,000
- Bradly Studer and Golden Gate Hop Ranches, Inc., Prosser—\$900
- James Willard, Prosser—\$900
- Gale Smith and Cardinal Crest Farms, LLC, Mesa—\$600
- James Keller and Keller Fruit and Storage, Inc., Yakima—\$2,700
- Chris Obert and Barbee Orchards, LLC, Zillah—\$600

Last year, WSDA investigated nearly 150 complaints involving pesticide use, sales and distribution; pesticide licensing; and building inspections for wood-destroying organisms. The agency registers more than 11,000 pesticide products, licenses about 22,000 pesticide applicators, dealers, consultants and structural pest inspectors, and investigates complaints of alleged pesticide misuse.

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