



# Washington State Department of Agriculture News Release

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WASHINGTON STATE DEPARTMENT OF AGRICULTURE  
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## **WSDA issues fines, license suspensions for pesticide violations *3<sup>rd</sup> quarter includes Pasco fumigant exposure case***

**OLYMPIA** – The Washington State Department of Agriculture (WSDA) issued fines totaling \$11,200 and imposed license suspensions during the third quarter of 2009 for violations of state pesticide laws and rules. Fines ranged from \$1,000 to \$7,500 for incidents that involved an improper soil fumigation that injured neighbors, selling restricted-use pesticides to persons who were not licensed, and providing insufficient safety measures for pesticide workers.

WSDA completed investigations that occurred in Franklin, Pierce, Snohomish and Walla Walla counties. The department issued fines or license suspensions in the following cases:

James Alford, Pasco. WSDA alleged that in October 2008 Alford applied a metam sodium soil fumigant to a 150-acre crop circle field without taking the necessary precautions to ensure the safety of nearby residences. Nineteen people were affected by fumes escaping from the field. Twelve were treated at a hospital, including young children. Alford denied any wrongdoing, but the matter was resolved when he agreed to pay \$7,500 and accept a 150-day suspension of his private applicator license. The suspension will be enforced from September through October of this year and an additional period extending from April to July 8, 2010.

Empey Brothers, Mesa. WSDA inspected an orchard operated by Empey Brothers in May and alleged that Empey Brothers was not providing sufficient decontamination supplies for pesticide handlers or proper care of their personal protective equipment. The matter was resolved when Empey Brothers agreed to pay \$1,200.

Michael Cramer, Absolute Mole Control, Tacoma. WSDA alleged that in January Absolute Mole Control made pesticide applications and sold pesticides without the necessary licenses. The matter was resolved when Cramer agreed to pay \$1,500.

Jon Q. Peterson, Peterson Home Inspection, Inc., Mill Creek, was fined \$1,000. Peterson was not licensed with WSDA in May 2009 when he conducted a structural pest inspection on a house in Monroe.

CHS-Walla Walla had its pesticide dealer license suspended for three days. Last May, the firm distributed a federal restricted-use pesticide to a person who was not licensed to apply the product.

### **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.

For more information on pesticide compliance and licensing, go to the WSDA Web site at [agr.wa.gov/Portals/PF/](http://agr.wa.gov/Portals/PF/) or call (877) 301-4555.

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