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N.C. Pesticide Board announces case settlements

RALEIGH – The N.C. Pesticide Board recently approved the following settlement agreements for individuals in Duplin, Harnett, Jones, Lenoir, Martin, Nash, Pitt, Sampson, Union, Washington and Yadkin counties. Settlements involved instances of pesticide drift, violations of worker protection standards and selling restricted-use pesticides to individuals without a valid pesticide license.

Settlements are listed by county below:

- (Duplin) Michael J. Sutton, employee and pesticide dealer for Calypso Farm Supply in Calypso, agreed to pay \$1,000 for selling restricted-use pesticides to an individual without a valid private applicator license.
- (Harnett) Charles Marvin Tart Jr., agreed to pay \$600 for drift damage from a pesticide application on a soybean field to a neighboring garden and grapevine. N.C. law states that no person shall apply pesticides under such conditions that drift from pesticide particles or vapors results in adverse effects.
- (Jones) Larry E. Riggs, a private applicator in Maysville, agreed to pay \$2,400 for violations resulting from a soil fumigation to a tobacco field leased by him. These violations included failure to: have soil fumigation certification on his private applicator license, post signs and notify neighbors of treatment, properly fit test for respirators and medically clear employees performing the fumigation, provide training documentation and properly disposing of pesticide containers. Riggs has since taken and passed the soil fumigation certification.
- (Lenoir) Anthony W. Hardy of Deep Run agreed to pay \$1,000 for drift damage to a tobacco field from a pesticide application to a dicamba-resistant soybean field. N.C. law states that no person shall apply pesticides under such conditions that drift from pesticide particles or vapors results in adverse effects.

- (Martin) Kenneth H. Roberson III of Robersonville agreed to pay \$600 for drift damage from a pesticide application on a soybean field to a neighboring tobacco field. Roberson applied an auxin product that can damage sensitive crops such as tobacco. N.C. law states that no person shall apply pesticides under such conditions that drift from pesticide particles or vapors results in adverse effects.
- (Nash) Danny S. Brite, commercial pesticide applicator license holder for Crop Production Services in Rocky Mount, agreed to pay \$750 for drift damage to a tobacco field from a pesticide application to a dicamba-resistant soybean field. N.C. law states that no person shall apply pesticides under such conditions that drift from pesticide particles or vapors results in adverse effects.
- (Pitt) Tanner J. Eason of Farmville agreed to pay \$600 for drift damage from a pesticide application on a soybean field to a neighboring tobacco field. Eason applied an auxin product that can damage sensitive crops such as tobacco. N.C. law states that no person shall apply pesticides under such conditions that drift from pesticide particles or vapors results in adverse effects. Eason also did not hold a pesticide applicators license and he did not attend mandatory Auxin training before applying the dicamba-resistant pesticides.
- (Sampson) William Tracey Pope, private pesticide applicator from Clinton, agreed to pay \$900 for a fumigant application to a field that made several neighbors experience symptoms such as burning eyes and respiratory issues. The application failed to meet buffer-zone requirements, as listed on the label, and Pope did not post fumigant treated area signs at all entrances to the application block. Pope had a current private applicator certification but he was not certified for fumigation. He has now taken and passed the fumigation exam.
- (Union) John E. Rodgers, employee of Frank Howey Family Farms in Monroe, agreed to pay \$1,000 for drift damage to three soybean fields from a pesticide application to a dicamba-resistant soybean field. N.C. law states that no person shall apply pesticides under such conditions that drift from pesticide particles or vapors result in adverse effects. Rodgers did not follow label requirements in regard to buffer zones and wind speeds for the applications.
- (Washington) Harry Thomas Phelps Jr., pesticide applicator from Creswell agreed to pay \$1,000 for drift damage to two soybean fields from a pesticide application to a dicamba-resistant soybean field. N.C. law states that no person shall apply pesticides under such conditions that drift from pesticide particles or vapors results in adverse effects. Phelps did not attend mandatory Auxin training before applying the dicamba-resistant pesticides.
- (Yadkin) Zeb L. Saunders, pesticide applicator and pesticide dealer for Crop Production Services in Yadkinville, agreed to pay \$800 for drift damage from an aerial application of pesticides to a wheat field

adjacent to an apiary that is registered with the N.C. Department of Agriculture and Consumer Services Plant Industry Division. The apiary owner stated that Saunders neglected to properly notify him before spraying and that his bees could have been foraging near the wheat field which would have resulted in their death.