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**FOR IMMEDIATE RELEASE: 8/1/2019**

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## **Pesticide Committee Approves Enforcement Actions**

LITTLE ROCK, AR – The Pesticide Committee of the Arkansas Department of Agriculture’s State Plant Board met July 30 to discuss and approve enforcement actions regarding violations of pesticide rules that occurred in 2017 and 2018.

The committee reviewed 53 violations for unauthorized use of 2,4-D and dicamba, which included minor and major infractions. Enforcement action recommendations ranged from warning letters to fines, with fines ranging from \$600 to \$1,000. The violations and enforcement actions will now be submitted to the full State Plant Board for review at its meeting on September 17.

Prior to August of 2017, the maximum fine for unauthorized use of a pesticide was \$1,000. Current law allows for fines up to \$25,000 for egregious violations of the use of dicamba or other auxin-containing herbicides. A copy of the law and penalty matrix can be found [here](#). A summary of enforcement actions can be found [here](#).

“We take our responsibility to implement the rules promulgated by the State Plant Board seriously,” said Scott Bray, Director of the Arkansas Department of Agriculture’s Plant Industries Division. “Our staff fully investigates every complaint and compiles a detailed record of information so members of the State Plant Board can make informed enforcement decisions. It can be a lengthy process but it’s important that procedures are fully and accurately followed.”

Investigations of alleged unauthorized pesticide use may be initiated by the filing of a complaint or by one of the 29 Plant Industries Division inspectors. Inspectors typically conclude their investigations and provide findings to the Plant Industries Division’s Pesticide Section enforcement staff within 30 days. The enforcement staff reviews the information provided by the inspector and determines whether there is sufficient evidence of a violation.

If the Pesticide Section finds sufficient evidence of a violation, a panel reviews the case and makes recommendations to the Pesticide Committee. Possible enforcement actions include a warning letter, applicator license suspension, referral to the State’s Prosecuting Attorney, referral to the Environmental Protection Agency, or a fine.

If the recommended enforcement action is approved by the Pesticide Committee, the recommendation is submitted to the State Plant Board, which may accept, reject, or adjust the recommended enforcement action. Individuals subject to an enforcement action have 30 days to respond to the decision notice and request an informal hearing with staff or a formal hearing before the full State Plant Board. Fines must be paid within 30 days from the date of the notice or be subject to collection procedures if a hearing is not requested.