



A Recent History of OISC Pesticide Enforcement Credentialing Actions

As prescribed by the FIFRA
Cooperative Agreement Guidance

Indiana Pesticide Review Board Meeting

November 9th, 2022

Suspensions and Revocations
2018 - 2022



Suspensions and Revocations
2018 - 2022

- | | |
|------------|--|
| 11-11-2016 | 1 st violation with documented human exposure = 30-day suspension, 2 nd violation with documented human exposure = 60-day suspension, 3 rd violation with documented human exposure = 90-days suspension. |
| 9-1-2017 | Direct human exposure may result in license suspension (no time limit). |
| 9-6-2019 | Direct human exposure may result in 6-month suspension, April-September but may span parts of two seasons. |
| 6-11-2021 | References to time period dropped. |



Five revocations and twenty-nine suspensions within the past five years.

Suspensions and Revocations
2018 - 2022



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Of the twenty-nine suspensions:

- 12 were for refusing to allow us to review their records,
- 6 for refusing to pay a civil penalty.
- 11 for various violations



Revocations/suspensions were for the following categories:

- 18 for Private Applicators
- 5 for aerial applicators
- 4 for category 1
- 2 for golf courses
- 2 for category 3b
- 1 for category 12
- 1 for category 7b
- 1 for RUP Dealer records

Suspensions and Revocations
2018 - 2022



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Of the five revocations

- 2 for failure to attend mandatory dicamba training
- 1 for failure to attend mandatory dicamba training and loaned his license to a non-licensed individual
- 1 same PA for loaning his license and 6th drift violation.
- 1 for 7b who lied to the customer, cheated the customer on a treatment, did not keep mandatory records. 7b applicator charged with violations:
 - 65(2) no drill holes
 - 65(3) used 100 gallons when 300 were mandated by label
 - 65(6) did not keep mandatory records
 - 65(6) failure to issue disclosure form
 - 65(7) refused to disclose application records he did have
 - 65(8) lied on his records he sent to us
 - 65(14) lied about the infestation



Suspension of Aerial Applicators:

- 2018/0780 - drift to woman and her two children. Second violation for drifting on people. Previous 2017 + \$500.00 + 6 months suspension.
- 2018/0845 - drift to people and refused to give application records + \$250.00
- 2019/0443 - drift to people. Third drift violation. Previous two in 2016 + \$1000.00 + 6 months suspension.
- 2020/0123 - third drift violation. Two investigations involved RUPs. 2017 & 2018 + \$1,000.00 + 6 months suspension.
- 2021 - drift to playground equipment, patio furniture and grill. 4th violation 2017, 2018, 2020 + \$1,000.00 + 6 months suspension.

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- 2017/0299 Unlicensed PA bought RUPs-Got a license but refused to pay the CP. - \$100.00
- 2017/0585 PA drifted onto people. 2nd drift – 30-day suspension + \$100.00.
- 2018/0785 PA – 6th drift – suspended one year + \$100.00.
- 2018/0786 PA – 7th drift – One year suspension + \$100.00
- 2018/0789 CA & RT 4th drift – suspended 6 months \$1,000.00.
- 2018/0813 PA – 8th drift – One year suspension + \$100.00
- 2019/0206 PA 6th drift & fraud – 6 months suspension + \$200.00
- PS20-0225 PA 3rd drift – RUP involved – 6 months suspension + \$100.00.



July 1, 2021

Trigger words:

- 2nd offense
- RUP vs GUP
- Refused vs Neglected
- Knowingly vs Unknowingly
- Adverse effect
- “After notice, refused to comply 15-16-4

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As of 2021, license suspension is from April 1st to September 30th for maximum effect.

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- Questions?
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