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What Happens After I File a Complaint?

What happens now that the investigator has visited my property?

The investigator will assess any evidence collected from your property to determine its relevance to the investigation. This means that while many different samples may have been taken (vegetation, water, soil etc...) not all samples may be analyzed. Any personal property taken by OISC, such as clothing, toys, etc., will not be returned as it is considered evidence. Although the goal of OISC is to conclude every case as quickly as possible, many factors may delay the conclusion of a case. Some of these are: complicated laboratory analyses; lack of cooperation of applicator and complainant; legal rights of the applicator; the need to conduct follow-up investigations; the need to respond to other complaint incidents; and the need to involve other agencies. Because each case varies, it is impossible to provide a firm estimate on how long it may take to conclude a particular case.

What happens after the investigator has collected all of the necessary information?

After the investigator has gathered all information related to an investigation, OISC administrative and technical support staff review the case for possible violations of relevant state fertilizer or pesticide laws. If a violation has been detected, one or more of the following remedies may be applied:

- Warning/citation
- Civil penalty assessment
- License/permit/registration revocation, suspension or modification

The specific enforcement action taken will depend on such factors as:

- Violator's compliance history
- Remedial or corrective action taken by the violator
- Potential for damage or harm
- Violator's cooperation during investigation
- Violator's good faith effort to comply
- The nature of the products that were used
- Unusual climatic event

How will I be compensated for my damages?

The focus of the investigation is to determine if pesticides or fertilizers are used according to label directions and applicable laws. No attempt will be made by an OISC investigator to determine the monetary value of any damage due to the proper or improper use of these materials. Damage recovery must be done through private negotiation with, or civil action (lawsuit) against, the pesticide/fertilizer user and/or his insurance carrier. For this reason, complainants are encouraged to take their own photographs, videotapes or other evidence to document damage that they believe may be related to the incident.

How will I be kept informed of the progress of my investigation?

Contact the investigator handling your case for a progress report, but only after a minimum of 10 to 12 weeks has passed. Once the case is concluded, you will automatically receive a copy of the case summary.