

## Civil penalties issued for pesticide violations in Malheur County

**May 27, 2009...** The Oregon Department of Agriculture has issued civil penalties to five Malheur County onion growers totaling \$180,000 in connection with the misuse of pesticide products during the 2008 growing season. The penalties stem from investigations and extensive sampling performed by ODA's Pesticides Division, and reflect the new, expanded authority supported by the agriculture industry for ODA to impose higher civil penalty amounts for pesticide violations.

In total, 18 fields were found to have levels of pesticide residue for products not labeled for use on onions. The pesticide residues found were identified as Basagran (active ingredient bentazon) and the Restricted Use Pesticide Furadan (active ingredient carbofuran). No amount of these pesticides is allowed in onions. ODA's investigation found two fields with levels of carbofuran and 16 fields with levels of bentazon. No residues were found in marketed onions, although two fields of onions were voluntarily destroyed by the growers.

Oregon's Pesticide Law prohibits the use of a pesticide product on a crop not permitted by the product label. ODA determined the violations occurred from gross negligence and willful misconduct by the pesticide users, and has issued the maximum civil penalties allowed by law.

For the misuse of Furadan, the following civil penalties were issued:

- David Navarrete of Ontario, OR – \$10,000 (applied to 1 field)
- WBH Farms, LLC of Nyssa, OR – \$10,000 (applied to 1 field)

For the misuse of Basagran, the following civil penalties were issued:

- Kris Yano of Ontario, OR – \$70,000 (applied to 7 fields)
- WBH Farms, LLC of Nyssa, OR – \$50,000 (applied to 5 fields)
- Froerer Farms, Inc. of Nyssa, OR – \$30,000 (applied to 3 fields)
- Craig Crawford of Ontario, OR – \$10,000 (applied to 1 field)

ODA investigated the unlawful use of Furadan on onions grown in Malheur County during 2006. Last year, both Craig Crawford and Froerer Farm, Inc. were issued civil penalties as a result of the 2006 investigations.

Similar investigations conducted by the Idaho Department of Agriculture in onion growing areas of that state during 2008 also documented pesticide misuse by some growers.

ODA will continue to closely monitor pesticide use on onions grown in Malheur County.

Those receiving civil penalties can contest the notice through an administrative hearing.

For more information, contact Dale Mitchell at (503) 986-4635.