

2012 Complaints / Inquiries to the Maine Board Of Pesticides Control

Category	Issue	Call Origin	Incident Location	Nature of Call	Date	Site / Crop	Equipment	Pesticide	Response	Findings	Status
<u>Agricultural: 4</u>											
	Suspected glyphosate damage to recently purchased 10A blueberry field		Cutler	Grower	8/21/2012	blueberries	Mist Blower	Initiate;	Inspector contacted previous land mgr. and took soil samples of affected field	Previous land mgr. said he had no knowledge of glyphosate use. Lab results from 2 soil samples indicated the presence of AMPA- a breakdown product of glyphosate	Closed
	Alleged misuse of fly bait at poultry plant out side on road		Turner	Concerned citizen	7/24/2012	pest control biting fly	Granular Spreader	Bayer Quickbayt Fly Bait; Elanco Elector Bait;	Inspection follow up	Site ok, but rate issue	Pending
	Wanted info on regs for aerial spraying of blueberries near water	Brooksville	Brooksville	Concerned citizen	5/15/2012				Information requested and provided		Closed
	Rural resident concerned about . potato farm leasing field across from them. More pesticides used than previous farmer. May be affecting bees, squirrels, their health and property, garden. Want to know what they use.	CORINTH	RIDGE ROAD POTATO FIELDS	Concerned citizen	4/23/2012				recommended caller determine the distance from her property to the field. Regardless of the finding of distance she could still call grower to ask for information on pesticide use. Once she got this information	Caller had an information request and regulations related to a nearby potato field. Directed her to our website, recommended she call the grower to ask for information and then call Hicks about toxicology questions.	Closed
<u>Agricultural neighbor non-commercial: 1</u>											
	Caller wanted to know pesticide neighbor used	Kennebunk	Kennebunk		10/12/2012	mixed vegetables	Other Powered Ground Equipment	Kleen-Up;	Inspector fol-up	Glyphosate for home garden.	Closed
<u>Disposal/Storage: 1</u>											
	Improper storage of empty pesticide containers		Lovell	Customer	8/7/2012	golf course			Inspector contacted applicator at course	No violation detected. Greens keeper to organize empties better.	Closed
<u>Landlord/Tenant: 8</u>											
	Alleged misuse of pesticides killed pet snakes	Bangor	Bangor	Tenant	1/23/2012	pest control structural	Other Non-powered Equipment	Real Kill Indoor Fogger; Shoo-Fly Indoor Fogger;	Inspector follow up	Could not confirm misuse. Eviction issue/ lack of label and evidence	Closed
	Unlicensed pesticide application to apt bldg. by landlord	Waterville	Waterville	Tenant	7/17/2012	pest control structural			Inspector follow up with landlord	Could not confirm violation. Landlord aware of lic. requirement inspector confirmed w/ commercial co. they do work for landlord.	Closed

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	Tenant has bedbugs, thinks they came from furniture he bought at charitable store in PI. Wanted information on how to address the problem		PI	Tenant	12/13/2012				Informed caller insecticide bombing not effective and exposure issue w/ kids. Mailed caller title 14 part 7 Landlord/bedbug obligations of parties. Relayed callers concerns to K. Murray so she could call. Contact information for CES, and called charitable store	Bed bug infestation issues- provided requested information and contacts to help.	Closed
	Lack of information from commercial applicator	Lewiston	Lewiston	Tenant	11/13/2012				Listened to caller's concern. Chapter 26 discussed over the phone and directed caller to our website.	No violation . Caller satisfied with timing of advance notification, but wanted information from the applicator the regulations do not require.	Closed
	Lack of information to tenant and unlic applicator	Mexico	Mexico	Tenant	11/7/2012	pest control structural	Hand Can	Green Rest Easy;	On site inspection	Could not substantiate allegations.	Closed- advisory letter sent on lic. requirement
	Unlicensed pesticide applications to apt. bldg.		Portland	Tenant	2/3/2012	pest control structural	Hand Can	Demand Cs;	Inspector follow up inspection.	Unlicensed applicator confirmed, exceeded label rate, insufficient notification	Closed,\$700 consent agreement
	Alleged unlic. application		APT BUILDING	Tenant	9/28/2012	pest control structural	Hand Can	Water;	Inspection fol-up. Sample collected	Owner denies pesticide application, said hires COA	Closed
	Tenant thinks landlord's commercial applicator making ineffective bed bugs treatments. Inquiring about our regulations.	Portland	Portland	Tenant	5/7/2012				Discussed requirement that label must be followed.	Caller fact finding only. Information requested	Closed
<u>Lawn/Turf: 23</u>											
	Caller thought turf contract was for organic application, acelepryn applied	Ogunquit	Ogunquit	Homeowner	6/8/2012				Discussed issue- recommended she check contract	Caller to check contract and call back with findings. Response will be based on that information.	Closed
	Alleged unlicensed commercial turf application		NE Harbor	licensed applicator	5/25/2012				forwarded complaint to inspector	Inspector familiar with company. Company properly licensed	Closed
	Unauthorized turf application	Scarborough	Scarborough	Homeowner	8/3/2012	lawn care	Granular Spreader	Merit 0.2% Plus Fert;	Inspector follow-up investigation. \$2,000 consent agreement paid.	Unauthorized turf application confirmed.	Closed

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	Son lives next to father, father hires lawn care co. Son concerned about odor in his dug well. Wants well tested.	Wells	Wells	Homeowner	10/12/2012	lawn care			On site fol-up and check lawn care co. records. State policy does not allow sampling wells upon request.	No violations noted	Closed
	Alleged turf application too close to Ocean		Private Condo/Time Share - Edgcomb	Customer	9/4/2012	outdoor ornamental	Non-powered Backpack	Roundup Power Max;	Inspector did a follow up investigation	No violation of applying too close to water.	Closed
	Unlicensed commercial application alleged		Farmingdale	licensed applicator	4/25/2012	turf	Other Non-powered Equipment	Scotts Turf Builder Plus2 Weed Control;	Inspector conducted follow up inspection	Unlicensed commercial application confirmed. Insufficient PPE.	Closed, \$300 consent agreement
	No notification to registry member.	Wells	Wells	Registry member (non-ag)	6/8/2012	lawn care	Hose	Dimension 2EW; Trupower 3; Merit2F;	Inspector follow up.	Violation confirmed	Closed, consent agreement \$2,500
	Unlicensed commercial application	Lyman	Lyman	Licensed applicator	4/4/2012	lawn care	Other Powered Ground Equipment	Ortho Weed N Feed ??;	Inspector conducted investigation	Unlicensed commercial application confirmed	Closed- \$250 consent agreement
	Bee keeper concerned w/turf herbicide application made 1/2 mile away	Lyman	Lyman	Concerned citizen	4/9/2012	lawn care	Other Powered Ground Equipment	Ortho Weed N Feed	Inspector was in process of following up on application from a previous unrelated caller.	Unlicensed granular herbicide application. No known impact to caller's bees	Closed, \$250 consent agreement
	Alleged insufficient notification to registry member	Camden	Camden	Registry member (non-ag)	4/10/2012	lawn care			Inspector was sent phone vm received by registry member	Notification, but need to include specific addresses to be treated and epa registration no. of products used	Closed
	No notification to registry member	Wells	Wells	Registry member (non-ag)	5/2/2012	lawn care	Hose	Barricade 4FI; Trupower 3;	Inspector follow up inspection	Vilocation confirmed	Closed, \$2,500 consent agreement
	Unauthorized pesticide application	Freeport	Freeport	Homeowner	4/27/2012	vector	Non-powered Backpack	Tempo SC Ultra;	Inspector follow up investigation	Could not confirm allegation.	Closed
	Unauthorized pesticide application	Scarborough	Scarborough	Homeowner	4/25/2012	lawn care	Other Powered Ground Equipment	25-0-3 With 0.172 Dithiopyr Herbicide;	Inspector follow up inspection	Unauthorized pesticide application confirmed	Closed, \$1,700 consent agreement
	Caller lives in condo community. Called about notification regulation, posting and health issues.	Kennebunk	Kennebunk	Concerned citizen	9/7/2012				Discussed our regulations and provided Hicks contact information	Information requested and provided	Closed
	School using commercial company's sign for posting treated school staff made	Brewer	Orrington	licensed applicator	7/13/2012	turf	Boom	Millenium Ultra	Inspector followed up with school staff	Confrim allegation, school to get on signs in the future	Closed
	Condo association personnel blocking condo owner's request for notification	Auburn	Auburn	Homeowner	6/11/2012	lawn care			Inspector met with condo owner	Condo owner resolved by cofirming with LC company he wants notification	Closed
	No notification to registry member	South Portland	South Portland	Homeowner	7/13/2012	lawn care	Non-powered Backpack	Triplet Sf; Merit;	Complaint follow up	Violation confirmed	Closed \$1,700 CA

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	Unlicensed commercial pesticide applications		Fort Fairfield	licensed applicator	6/13/2012				Inspector investigated	No violation found.	Closed
	Unauthorized pesticide application	Westbrook	Westbrook	Homeowner	7/23/2012	lawn care	Mist Blower	Merit 0.2% Plus Fert.;	Inspector investigated	Unauthorized application confirmed	Closed- \$2,000 consent agreement
	Alleged unlic. commercial work			Regulatory official	6/27/2012	other non ag	Non-powered Backpack	Natures Wisdom Vinegar 20%; Salt;	Inspector follow up inspection- Warning letter sent about lic. requirements	Company hires commercial applicator for pest control work. Company employee did use vinegar for weed control.	Closed
	Posting of treated turf	Scarborough	Scarborough	Concerned citizen	7/12/2012	lawn care			Inspector follow up investigation with application co. and client	Applicator did post correctly. Customer's new employee incorrectly took signs down too early	Closed
	Alleged drift to moving car when lawn care application made	Freeport	Freeport	Pedestrian/motorist	7/9/2012	lawn care	Other Non-powered Equipment	Ortho Weed B Gone;	Inspector inspection follow up	Wipe sample taken from car involved. No residue detected	Closed
	Alleged drift injury to turf when neighbor applied lawn chemicals		Grand Isle	Homeowner	7/6/2012	other non ag	Other Non-powered Equipment	Roundup;	Inspector follow up	No drift or violations found	Closed
<u>License / Cert: 9</u>											
	Unlic commercial application		Business	Concerned citizen	8/23/2012	other non ag	Non-powered Backpack	Round Up;	Inspector follow up	Unlicensed commercial application confirmed	Closed, consent agreement \$500
	Unlicensed commercial application		Machias	Concerned citizen	8/7/2012	lawn care	Other Non-powered Equipment	Ortho Weed-B-Gon;	Follow up inspection	Confirmed unlic. commercial application.	Closed \$350 Consent Agreement
	Notification / licensing		Camden	Concerned citizen	7/13/2012	other non ag	Hand Can	Round Up;	Inspector follow up	Confirmed unlic. Application	Pending
	Manager of motel making bed bug applications	Augusta	S. Paris	Regulatory official	7/20/2012	pest control structural	Other Non-powered Equipment	JT Eaton-Kills Bedbugs, Fleas,;	Inspector did follow up inspection	Mgr. did make application but facility was closed at the time.	Closed
	Mgr making unlic application to rental property	Augusta	York	Regulatory official	7/23/2012	pest control structural	Other Non-powered Equipment	Bonide Bedbug Killer; Hot Shot Fogger;	On site investigation	Unlicensed application confirmed	CA \$500
	Advertising complete lawncare including spraying on float in Aroostook parade.			licensed applicator	7/25/2012				Inspector contacted advertisers	Lawn care did not include pesticide application.	Closed
	Alleged unlic applications at golf course		Dedham	Concerned citizen	7/27/2012	golf course	Boom	Confront ; Triplet SF;	Inspector follow up	No violation, lic. applicator doing work	Closed
	Alleged unlicensed commercial work			Concerned citizen	5/7/2012	other non ag			Inspector follow up contact with tree service	T. sevice hires licensed applicator for pesticide work. Clarified license contract requirement with Spicer	Closed
	Unlic. applicator advertising services			Concerned citizen	6/12/2012				Inspector follow up	Advertising confirmed. No applications made. Advertising removed	Closed

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<u>Miscellaneous: 5</u>											
	Alleged unlic. application		Grand Isle	Concerned citizen	5/11/2012	other non ag		Boom	Inspector follow up inspection	No pesticides involved. Veg oil only	Closed
	Rate concerns and potential GW contamination		Mercer	Abutter	7/27/2012				Inspection follow up	CMA lic needed, PPE required	Pending
	Third party calling for friend, blueberry plant worker. Thinks rinsate from washing bb boxes could drain to river and reaction to what she thinks is imidanand illegal to use.	Machias	Machias	Concerned citizen	8/31/2012				Imidan not illegal to use. Informed caller the bb worker has already called our office	No violation	Closed
	Thinks Imidan illegal to use on bb.Reaction from rinsing bb boxes	Milbridge	Machias	Employee	8/30/2012				Discussed imidan's status as still reg. for bb.	BB co. assigned worker to dif. job at this point	Closed
	Smells unexplained chemcial odor on his property. Persists for days, even in house. Has cold like symptoms now. Cat too.			Concerned citizen	9/7/2012				Most of his concerns were health related and about potential residues on his veg. garden.	Passed his contact information on to Hicks. She corresponded with him to provide input.	Closed
<u>Mold remediation: 2</u>											
	Company is not providing customer with pesticide/job information. Caller questions if correct PPE worn	Seal Harbor	Seal Harbor	Customer	6/4/2012	mold remediation			Provided caller information about her right to get labels and MSDSs. PPE contingent on products used	Caller to request labels/MSDSs and will call back if problem persists.	Closed
	Customer having hard time getting MSDS/Labels and itemized list of work done by abatement company	Seal Harbor	Seal Harbor	Customer	7/2/2012	mold remediation	Other Non-powered Equipment	Microban; Botaniclean;	Inspector contacted abatement company.	No rule violation found. Staff told customer it was a business issue, but if co. was not cooperative after inspector follow up, BPC could try to mediate the information request.	Closed
<u>Mosquito/Tick: 4</u>											

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	Commercial applicator not responsive to notification request by company customer	Hollis Center	Hollis Center	Customer	7/20/2012				Review and discuss BPC notification with caller. Recommend she address the issues with mgmt. of the commercial company she hires as BPC regulations do not address insufficient notification to a customer of a commercial company.	No violation found.	Closed
	Caller thought a commercial co. used deception with contract	Poland	Poland	Customer	8/3/2012	vector	Granular Spreader		Inspector follow up	No deception with contract. Applicator needed to update license affiliation with this company.	Warning letter pending
	Alleged unlic. commercial applications		Wells Maine	Concerned citizen	7/11/2012	lawn care			Inspector fol up with applicator	No violation found- subcontracts w/ lic. applicator for pesticide applic	Closed
	Alleged mosquito pesticide application to wetland area		1 Seacoast Lane, OOB	Homeowner	8/10/2012	vector	Air Blast	Cross X Check Plus;	Follow up inspection with application company	No violation found in this case	Closed
<u>Neighbor non-ag: 3</u>											
	Unauthorized pesticide application over property line		Chebeague Island	Regulatory official	11/6/2012	golf course			on site fol-up, samples collected	Appeared to be herbicide damage. Lab results indicated unauthorized pesticide application.	Closed- \$600 consent agreement
	Alleged contamination of property with herbicides and fertilizers that killed dog	Sanford	Sanford	Homeowner	1/19/2012				Listened/recorded complaint. Alleged activity several years old. Recommended that complainant call our office is similar activity seen in the future and we could follow-up on that recent activity.	Call involved activity several years old. Circumstances too old to act on.	Closed
	Improper use of moth balls and rodenticide by neighbor, caller's dog poisoned, suspects rodenticide	Raymond	Raymond	Homeowner	7/3/2012	outdoor ornamental		D-Con; Mothballs;	Inspector fol up inspection	Moth balls found in front garden, as alleged. No open baiting rodenticide found at time of inspection. Any bait removed prior to inspection. Inspector could not confirm neighbor's bait consumed by caller's dog	Closed- WL sent on pesticide use practices
<u>Outdoor Ornamental: 1</u>											
	Alleged drift to kids & parent at school bus pick up stop	Scarborough	Scarborough	Concerned citizen	10/4/2012	outdoor ornamental	Hose	Merit 2F; Talstar Professional;	Inspector fol-up use inspection, foliage sample collected	No pesticide detected on foliage sample	Closed
<u>Right-of- Way: 5</u>											

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	Alleged spraying along section of row marked no spray	Mercer	Mercer	Concerned citizen	7/27/2012	right of way roadside	Hose	Alligare Msm 60; Carlon 4 Ultra;	Inspector follow up	No violation of spraying in no spray area	Closed
	Sprayed in n/s agreement area and also outside ROW	N. Berwick	N. Berwick	Homeowner	6/19/2012	right of way utility	Non-powered Backpack	Rodeo; Habitat;	Inspection follow up	No spray agreemnt expir 1995. CST to one stump outside ROW	Closed- WL issued
	Edge of side walk application, gusty wind, busy road.		Lewiston	Concerned citizen	6/27/2012	right of way roadside	Non-powered Backpack	Round-Up Pro Max;	Inspector follow up inspection	No violation	Closed
	Herbicide runoff from RR ROW on to hay field	GORHAM	HAY FIELD, DAIRY FARM	Homeowner	8/13/2012	right of way railroad	Boom		Inspector and DOT veg. mgr. conducted on site investigation	Lab result from DOT composite soil sample of affected hay field area indicated 0.025 PPM Metsulfuron/Sulfometur on, the ingreds of Oust Herbicide used on the RR.ROW. Lab could not determine which of the 2 ingred. it was.	Closed
	Caller thought too late in season for ROW spraying	Whitefield Windsor	Whitefield/Windsor	Concerned citizen	9/25/2012				RGC called R. Moosman. DOT crew was spraying h.wood/s.wood along ROW with Srreamline, Garlon, and methylated seed oil as the surfactant. Hose and gun equipment. Normally would end 2nd wk of Sept. Extending this yr. to see if control works.	No violation. DOT shutting down this week	Closed
Structural Pest: 4											
	Registry member complaint		Whitefield/Windsor	Concerned citizen	9/13/2012	pest control structural			Caller observed commercial pest applicator was treating the outside of the house across the road from her.	Explained to the caller that there is an exception to notifying people on the registry for 7a application w / i 5 ft. of the customer's house. The caller understood the exemption.	Closed
	Insufficient notification to registry member	Camden		Registry member (non-ag)	4/23/2012	lawn care			Inspector followed up with application co.	Application did not require notification.	Closed
	Insufficient notification to registry member	Camden		Registry member (non-ag)	6/4/2012	Structual			Inspector contacted applicator about application	Application category exempted from notification requirement	Closed
	Alleged insufficient notification to registry member	Camden			7/19/2012	Structual			Inspector followed up with applicator.	No violation found	Closed
Water Related: 2											

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	Caller thought herbicides used too close to pond	Portland	Shapleigh	Regulatory official	8/27/2012				DEP inspector and Shapleigh CEO went to site.	Vegetation only cut, no pesticides used.	Closed
	Applying herbicide so that overspray goes into lake	Oakland	Oakland	Concerned citizen	8/6/2012	other non ag	Hand Can	Bayer Advanced Durazone;	Inspector follow up with applicator	Confirmed herbicide overspray into lake.	Closed- \$400 consent agreement