

Court Bulletin Nouvelles judiciaires



Ministry of the
Environment

Ministère de
l'Environnement

For Immediate Release
November 8, 2010

TYMACK INCORPORATED O/A NUTRI-LAWN KINGSTON AND ROBERT BAXBY FINED \$10,486 FOR USING BANNED PESTICIDES

KINGSTON & BELLEVILLE– On October 14, 2010, Tymack Incorporated operating as Nutri-Lawn Kingston and Robert Baxby were each convicted of four violations under the Pesticides Act for using a prohibited Class 9 Pesticide for cosmetic use and failing to post signs as per regulations.

The Court heard that Mr. Baxby is the manager and sole director of Tymack Incorporated operating as Nutri-Lawn Kingston, who has been providing lawn care services in Belleville and Kingston. On April 24, 2009, Mr. Baxby met with ministry staff in Kingston to discuss the new cosmetic pesticide ban, and the requirements of the ban were explained to him. Mr. Baxby was strongly encouraged to comply with the new ban. On August 13, 2009, the ministry received a complaint that company trucks and employees were applying chemicals to control weeds at a site in Kingston, leaving a strong odour. Ministry staff attended the site and confirmed that the company had sprayed that morning. There were also no signs posted. On August 19, 2009, an examination of the turf areas at the site revealed vegetation with abnormal growth patterns, characteristic of exposure to Class 9 Pesticides.

On October 8, 2009, the ministry received several complaints related company employees using a mixture in the spray tank at a site in Belleville. Again, no signs were posted and the results of samples taken from the tank confirmed high concentrations in the Class 9 category and therefore, a banned substance.

The company was charged following an investigation by the ministry's Investigations and Enforcement Branch.

The company was fined at total of \$10,486 on two charges, plus a victim fine surcharge and given 12 months to pay the fines.

For further information:

Members of the media:

Kate Jordan

Communications Branch
(416) 314-6666

Contact information for the general public:

416-325-4000 or 1-800-565-4923/

www.ontario.ca/environment