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DEC: Pesticide Applicator Pleads Guilty To Pesticide Violations

Richard W. Graham, owner of Graham Pest Control of Niskayuna, pleaded guilty on July 26 in New Scotland Town Court to applying restricted use pesticides without a pesticide applicator registration and without a business registration, the New York State Department of Environmental Conservation (DEC) announced today.

Both charges are misdemeanors and Graham paid a \$5,000 criminal fine and entered into an administrative order with DEC prohibiting him from ever applying for or holding a pesticide application registration or pesticide business registration.

"I commend our Bureau of Environmental Crimes Investigators and Pesticide staff for their excellent work during this undercover sting operation," said DEC Law Enforcement Major Scott Florence. "Staff worked long hours to bring this case to a successful conclusion and it would not have been possible without their dedication and commitment."

Graham applied restricted use pesticides after his pesticide applicator registration expired in November 2010 and after his business registration was revoked in May 2011. Each charge carries a potential penalty of up to one year in jail and/or up to a \$5,000 fine per day of the violation.

DEC closely regulates the use and application of pesticides in New York state to ensure the protection of public health and the environment. The use, sale or possession of "restricted use" pesticides are limited to individuals permitted and registered by DEC due to the toxicity and potential for misuse of such pesticides.

The undercover sting operation was conducted by DEC, and the case was prosecuted by Attorney General Eric Schneiderman's office.