



Sandra J. Adams  
Commissioner

## COMMONWEALTH of VIRGINIA

Department of Agriculture and Consumer Services  
Division of Consumer Protection

*Office of Pesticide Services*

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November 4, 2014

CERTIFIED MAIL

Ms. Elizabeth Green

**Complaint Investigation Results**

Case Number: 54566

Dear Ms. Green:

Between May 14 and May 29, 2014, Pesticide Investigator Frank Filipy conducted a non-agricultural pesticide business license/certification investigation on ValleyCrest Landscape Maintenance, Inc. in Chantilly, Virginia. The investigation was done in response to your complaint that a pesticide application made by them at George Mason University (GMU), Fairfax, Virginia, was done incorrectly. You alleged that the application was made in close proximity to the campus pond and that it may have had an adverse impact on non-target species and the environment.

In the course of the investigation, it was determined that on May 8, 2014, an employee of ValleyCrest Landscape Maintenance, Inc., made an application of *Lesco Three Way Selective Herbicide* (EPA Reg. No. 10404-43) to approximately 30 acres of turf on the grounds at GMU. Pesticide Application Records submitted by them revealed that the pesticide application was done to turf areas adjacent to the campus pond.

The *Lesco Three-Way Selective Herbicide* under "Use Precautions" states: *Do not apply this product within 25 feet of rivers, fish ponds, lakes, streams, reservoirs, marshes, estuaries, bays and oceans. Do not exceed specific dosage for any areas.*

A water sample from the pond was analyzed for dicamba and 2,4-D, the active ingredients of *Lesco Three-Way Selective Herbicide*. The results of the Division of Consolidated Laboratory Services analysis were positive for the active ingredients.

Based upon the evidence, we determined that there was a violation of the Virginia Pesticide Control Act and a civil penalty was issued in this case.

Page 2

If you have any questions concerning this investigation, you may call me at

Sincerely,



Rohan M. Williams  
Compliance Manager

cc: Clinton T. Shettle, Supervisor, Enforcement & Field Operations  
Ryan Rutherford, Pesticide Investigator