

Enforcement

TDA has the authority to file administrative, civil or criminal charges against anyone who misuses pesticides. This authority also extends to general-use pesticides, those that can be bought by the general public.

TDA penalty options include:

- Administrative penalties up to \$4,000 per incident
- Civil penalties up to \$25,000
- Class A, B, C misdemeanors
- Third-degree felony – 2-10 years imprisonment and up to a \$10,000 fine

TDA may also refer the incident to the Texas Parks and Wildlife Department, the U.S. Fish and Wildlife Service and local law authorities. Punishment can range from fines, to loss of licenses, to loss of property, to jail time.

A species does not have to be endangered or threatened to be protected. Animal cruelty charges can be filed by local law enforcement. Penalties may be assessed and enforced under more than one law.

How to File a Complaint

To report pesticide exposure or misuse, contact the nearest TDA regional office or TDA Austin office at 1-800-TELL-TDA.

For TDA to take enforcement action, a pesticide complaint case must be supported by evidence. Evidence of misuse may no longer be present after a period of time. Persons who suspect misuse should contact TDA as soon as possible.

TDA Offices

Texas Department of Agriculture
P.O. Box 12847
Austin, Texas 78711
1-800-TELL-TDA
<http://www.TexasAgriculture.gov>

West Texas Regional Office (Region 1)
4502 Englewood Ave.
Lubbock, Texas 79414
(806) 799-8555

North Texas Regional Office (Region 2)
1720 Regal Row, Suite 118
Dallas, Texas 75235
(214) 631-0265

Gulf Coast Regional Office (Region 3)
Elias Ramirez State Office Building
5425 Polk Avenue
Houston, TX 77023
(713) 921-8200

South Central Regional Office (Region 4)
8918 Tesoro Drive, Suite 120
San Antonio, Texas 78217
(210) 820-0288

Valley Regional Office (Region 5)
900-B E. Expressway 83
San Juan, Texas 78589
(956) 787-8866

Hearing impaired please call (800)735-2988
(voice) or (800)735-2989 (TDD)

Other Resources

Texas State Poison Center 1-800-764-7661
(1-800-POISON1)

National Pesticide Telecommunications Network
1-800-858-7378

The Texas Wildlife Damage Management Service,
P.O. Box 100410, San Antonio Texas, 78201-1710;
phone (210) 472-5451 <http://wls.tamu.edu/>



Commissioner Sid Miller

Preventing Pesticide Misuse in Controlling Animal Pests

Pesticides are an important tool for producing a safe, abundant and affordable food and fiber supply. The Texas Department of Agriculture is the lead state agency for regulating pesticides and investigates complaints of alleged pesticide misuse.

Reading and following label instructions provide the foundation for safe pesticide use. Pesticides should be in their original container with the label attached.

Pesticides must be labeled for their intended use. This includes the targeted pest as well as the crop and location.

Using pesticides for other than their labeled use is illegal and can harm people, animals and the environment.

Animal Pest Control

Farmers and ranchers, and even homeowners in urban areas, have a legitimate need to control predators. Common animal predators include coyotes, foxes, raccoons, hogs, birds and feral dogs.

There are legal, safe and, in some cases, non-poisonous ways to protect livestock and crops. The method should be selected based on what works best for the problem and the location. There is no “one size fits all” solution for controlling animal pests.

These options do not extend to controlling domestic dogs and cats that may pose a problem. **There are no pesticides labeled for use to eliminate domestic animal problems.**

Pest control companies or government agencies such as the Texas Agricultural Extension Service or the Texas Wildlife Damage Management Service can provide information and assistance.

Extension has publications available on the Internet about wildlife control [texaserc.tamu.edu/catalog/topics/Wildlife.html] as well as “Procedures for Evaluating Predation on Livestock and Wildlife” [texnat.tamu.edu/ranchref/predator/pred.htm].

Illegal Baits

Most pesticide applicators follow the law. But TDA has pursued several cases of people placing pesticides in meat, grain or even sandwiches to try to control animal pests.

The indiscriminate placing of such baits is illegal and has resulted in the death of wildlife, farm animals and domestic dogs and cats.

People have also become ill from handling baits. Sometimes only a small amount of a pesticide ingested or absorbed through the skin can cause serious injury or death.

Use Caution

√ If you suspect you have encountered an illegal pesticide bait or an animal that has consumed one, be careful. Contact appropriate medical or veterinary personnel. Call your TDA regional office or local law enforcement office.

√ Do not attempt to remove the bait unless you are trained in how to handle pesticides safely. If you can, cover the bait or quarantine the area.

√ If you believe your pet or livestock have consumed a pesticide, use caution in handling the animal or attempting to remove the bait from its mouth. Saliva may contain toxins.

√ Secondary exposure such as an animal eating one killed by pesticides or a person handling a sick animal can cause health problems.

Be a Good Neighbor

Problems often arise in small communities or where urban areas have expanded into farming or ranching regions. Homeowners should realize domestic dogs and cats can be a nuisance or hazard to certain agricultural operations.

Even if the law does not require dogs and cats to be confined, your pets will be safer and cause fewer problems if they are kept at home. Children should also be supervised in areas where baits – legal or not – may be placed.

Applicator Behavior

Applicators have a responsibility to practice good stewardship and follow all applicable laws. Illegal or irresponsible pesticide use can cause a pesticide to be removed from the list of tools available for agricultural production.

√ Pesticides should be stored and disposed of properly to prevent theft or accidental exposure.

√ Providing restricted-use pesticides to someone not licensed with TDA is illegal.

√ Pesticide applicators should consider all people or animals that may have access to an application site and practice the appropriate degree of caution if there is any chance that people or animals may come in contact with the pesticide.

√ Label directions should be read thoroughly, and caution warnings should always be followed.