

Respondent:

**Matt Holland Landscape Services LLC,
51 Mikell Drive
Dover, DE 19901**

Violations:

§1224(a)(3) – Engaging in the business of applying a pesticide on the lands of another without having a license granted by the Department.

Penalty:

Respondent signed a consent agreement on October 11th 2018. In the agreement, Respondent agrees to the imposition of disciplinary sanctions which included a civil penalty of \$840.00

STIPULATED FACTS

1. Matt Holland Landscape Services LLC, (“Respondent”) is a commercial pesticide applicator business with an office located at 51 Mikell Drive, Dover DE 19901. Respondent does not have a pesticide business license issued by the Delaware Department of Agriculture (“Department”).
2. Matt Holland (“Holland”) is the owner of Matt Holland Landscape Services LLC. Holland was a certified applicator (07-477); it has been expired since 12/31/2008.
3. Brian Cottuli (“Cottuli”) is employed by Matt Holland Landscape Services LLC. Mr. Cottuli is not a certified applicator or a registered service employee.
4. The Pesticide Section of the Department (“Complainant,”) is bringing this enforcement action against Respondent. Dustin Borntreger, (“Borntreger”), is employed as an Environmental Scientist II with the Department.
5. On July 17th 2018, Borntreger observed a backpack sprayer sitting behind the service trailer of Matt Holland Landscape Services LLC. Inside of the service trailer was a container of Preen (EPA Reg. No. 961-418) and an unmarked 2.5 gallon container. Borntreger asked Cottuli what was in the container and he stated that it was maybe Roundup (EPA Reg. No. 524-537). Borntreger contacted Holland and discussed the unmarked container. Mr. Holland confirmed that the container contained Roundup. Borntreger explained why the product should be labeled and provided a service container tag to Cottuli.
6. Upon returning to the office Borntreger looked up Holland in the Pesticide Management Database. The database showed that Mr. Holland held a certification with the department that expired on 12/31/2008. Mr. Holland was previously employed by Jonny Nichols Landscape Maintenance, which holds a valid pesticide business license issued by the Department.

7. In the past 5 years, Respondent has no pesticide compliance violations with the Department.

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