



STATE OF DELAWARE
DEPARTMENT OF AGRICULTURE
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Respondent:

Vivid Lawn
711 Concord Road, Ste 10
Glen Mills, Pennsylvania 19342

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 June 2021. In the agreement, Respondent agrees to the imposition of disciplinary sanctions which included a civil penalty of \$1120.00

STIPULATED FACTS

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1. Vivid Lawn, (“Respondent”) is a commercial business with an office located at 711 Concord Rd, Suite 10, Glen Mills Pennsylvania 19342. Respondent had an expired license at the time of inspection (License No. 1899) that was issued by the Delaware Department of Agriculture (“the Department”).
2. Chris Thompson is the manager of Vivid Lawn. Mr. Thompson does not have a certification issued by the Delaware Department of Agriculture.
3. Karl Garcia Rios is an employee for the Respondent. Mr. Rios is not a certified applicator or a registered service employee in Delaware. Employee is still not a registered service employee as of 4/7/2021.
4. Paul Wolf is an employee for the Respondent. Mr. Wolf is not a certified applicator or a registered service employee in Delaware. Employee is still not a registered service employee as of 4/7/2021.
5. The Pesticide Section of the Department (“Complainant,”) is bringing this enforcement action against Respondent. Emmanuel Sempeles (“Sempeles”) is

employed as an Environmental Scientist I with the Department. Dustin Borntreger (“Borntreger”) is employed as an Environmental Scientist II with the Department.

6. On March 12th, 2021, a complaint was received by the Pesticide Section about granular material being left in the roadway after a lawn application. This complaint was located in New Castle County at 12 Bar Drive, Newark DE 19702. Sempeles used the Salesforce database to look up the Respondents contact information. This is when Sempeles noticed that the Respondents Pesticide Business License was expired. It had expired on 12/31/2019. Sempeles contacted Mr. Thompson about the application at 12 Bar Drive. Mr. Thompson acknowledged that his company had applied Turf King Fertilizer with .58% Prodiamine at this location. He agreed to have his crew go back and blow off the impervious surfaces.
7. Turf King Fertilizer with .58% Prodiamine, EPA Reg. No. 53883-171-47956 is a registered pesticide in the State of Delaware.
8. Sempeles visited the Respondent facility on March 18th 2021, during this visit Sempeles collected 155 application records for calendar year 2021.

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