

# Court Bulletin Nouvelles judiciaires



Ministry of the  
Environment

Ministère de  
l'Environnement

For Immediate Release  
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## **J & L HENDERSON LIMITED, JOHN HENDERSON, JONATHAN EDWARD LEGGATE AND THE TOWNSHIP OF ENNISKILLEN FINED \$22,500 FOR PESTICIDE ACT VIOLATIONS**

**SARNIA** – On October 2, 2009, J & L Henderson Limited, John Henderson and Jonathan Edward Leggate were fined a total of \$15,000 plus victim fine surcharges after pleading guilty to acquiring, storing or using a pesticide without the required licence.

Mr. Henderson pleaded guilty to operating an extermination business not in accordance with a licence of a prescribed class, and Mr. Leggate pleaded guilty to discharging or causing or permitting the discharge of a pesticide that caused harm or material discomfort to a person. All were given 365 days to pay the fines. Under the same investigation, The Corporation of the Township of Enniskillen was previously convicted of one violation under the Pesticides Act for transferring a pesticide not in accordance with a licence for such class. The town was fined \$7,500 plus a victim fine surcharge and was given thirty days to pay the fine.

The Court heard that on July 6, 2007, two Provincial Officers observed Mr. Leggate applying a pesticide along the roadside ditch. The pesticide spray drifted into the open windows of their vehicle. Both officers noted that the winds were quite strong and were not appropriate for pesticide spraying. The drift resulted in one of the officers suffering material discomfort.

The officers conducted an inspection and determined that the pesticide applicator was employed by J & L Henderson Limited, a corporation which had been hired by the township to spray the ditch area with a Schedule 2 pesticide named Garlon 4. Neither of the workers were licenced or trained in the application of pesticides as required. The subsequent investigation revealed that the township had purchased the pesticide and had hired the company, owned by John and Leanne Henderson, to spray the brush in the 4<sup>th</sup> Concession Johnson Creek Drain.

The company, Mr. Henderson, Mr. Leggate and the township were charged following an investigation by the Ministry of the Environment's Investigations and Enforcement Branch.

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