



FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES
COMMISSIONER NICOLE "NIKKI" FRIED

November 5, 2021

Mr. John Cassani
17520 Oak Creek Road
Alva, Florida 33920

Dear Mr. Cassani,

The Florida Department of Agriculture and Consumer Services ("Department") initiated an investigation on June 23, 2021 in response to a written directive regarding an allegation by you that a pesticide application made by South Florida Water Management District (SFWMD) to the Caloosahatchee River was not consistent with the product label of Lake Guard Oxy.

During the investigation it was determined that SFWMD was in possession of a NPDES permit and contracted Modica & Associates Inc. of Clermont, Florida and BlueGreen US Water Technologies Inc. of Houston, Texas to make applications of Lake Guard Oxy for control of cyanobacteria to the Caloosahatchee River.

The Department documented the use of the pesticide "**Lake Guard Oxy**", EPA Reg. No. **93647-2**; Sample Number **072221 5016 0101**.

After a complete review of the case file regarding this investigation and in the absence of additional information, it was determined that the application of **Lake Guard Oxy** was to a target site and applied at a rate consistent with label directions.

The Department identified and issued an administrative complaint and warning letter addressing a violation of Section 487.031(10), F.S., for failure to wear the label required protective equipment while applying Lake Guard Oxy.

If you have any questions or comments regarding this matter, please contact this office at (850) 617-7880 or at the following email: jeffrey.bechtel@fdacs.gov.

Sincerely,

Ryan DeSutter
Manager, Agricultural Pesticide Enforcement
Bureau of Licensing & Enforcement

RHD/jjb
File Name: SFWMD

File No. 121-156-5016 JJB