



**STATE OF MISSISSIPPI
DEPARTMENT OF AGRICULTURE AND COMMERCE • BUREAU OF PLANT INDUSTRY**

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For Immediate Release

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ANIMAL POISONING CASE IN WARREN COUNTY ENDS IN GUILTY PLEAS

Following a joint investigation of the Mississippi Department of Agriculture & Commerce, the United States Fish & Wildlife Service, the Mississippi Department of Environmental Quality, and the Mississippi Department of Wildlife, Fisheries and Parks, James Bendily and the Horseshoe Lake Association, Inc. pled guilty on December 19, 2008 in the federal district court of the Southern District of Mississippi to two counts each of violating the Migratory Bird Treaty Act.

Charges were brought after federally protected birds and several other animals were poisoned with the agriculturally pesticide, Temik. Specifically, Bendily applied the pesticide to two deer carcasses in an attempt to kill coyotes on the property of the Horseshoe Lake Association in Warren County, Mississippi.

Bendily was sentenced to one year of probation and ordered to pay fines totaling \$5000 and restitution totaling \$10,000. As a condition of his probation, Bendily is also prohibited from hunting or engaging in any hunting related activity for a period of one year. The Horseshoe Lake Association, Inc. was ordered to pay fines totaling \$5000 and restitution totaling \$10,000.

State and federal agencies cooperated in the investigation as well as the clean up of the toxic site.

Pesticide applicators are legally responsible for reading, understanding, and following pesticide label instructions in order to protect the general public and the environment from contamination and misuse. It is a violation of federal law to apply a pesticide in a manner inconsistent with the product label. Temik is highly regulated and its use is restricted under both state and federal law to individuals that have been trained and certified in its proper use.

For more information, contact the Bureau of Plant Industry at (662) 325-3390 or visit www.mdac.state.ms.us.

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