



# NEWS RELEASE

Office of the United States Attorney  
Eastern District of Texas

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***FOR IMMEDIATE RELEASE***

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## **PESTICIDE MISUSE KILLS WILDLIFE, COSTS MEN OVER \$21K**

(Tyler, Texas) A plan to rid a land-owner's property of feral hogs, has led to the death of at least four white-tail deer and three turkey vultures and cost three East Texans over \$7,000 each in fines and restitution. **FORREST DYESS**, 65, of Jacksonville, **GLENN L. SMITH**, 51, of Jacksonville, and **DAVID JONES**, 45, of Rusk accepted citations last week from the U.S. Fish and Wildlife service for violating the federal Migratory Bird Treaty Act.

According to court records, Dyess, a registered pesticide dealer, sold a pesticide called Temik to Jones. Jones told Dyess that the pesticide would be used to poison feral hogs on property belonging to Smith. According to Fish & Wildlife Service investigators, Temik is only approved for use as a subsurface pesticide and can only be sold to a licensed applicator. The investigation showed that Smith mixed the Temik with horse feed and placed it on the property line of his property in Cherokee County, Texas. As a result, at least four white-tail deer ate the feed and died. At least three turkey vultures who fed on the deer also died from ingesting the Temik.

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The Migratory Bird Treaty Act prohibits the illegal taking, including killing, of migratory birds subject to the Act.

Matthew D. Orwig, United States Attorney for the Eastern District of Texas, encourages property owners to carefully observe label restrictions on poisons and pesticides and to immediately contact local law enforcement authorities should they suspect wildlife poisoning.

Dyess, Smith and Jones must each pay a fine of \$5,000 and restitution to the Texas Department of Parks and Wildlife of \$2,162.

The case was investigated by the U.S. Fish & Wildlife Service and the Texas Department of Parks & Wildlife. The case was prosecuted by Assistant U.S. Attorney Alan Jackson.

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