

Texas Department of Agriculture
Enforcement Division
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www.TexasAgriculture.gov

WARNING LETTER

Incident No. 5011-00048511
Date: September 25, 2025

Cypress Cove Association Maintenance Group (HOA)
ATTN: Mike Vorhis
1664 Cypress Cove Rd.
Spring Branch, TX 78070

Dear Mr. Vorhis,

The Texas Department of Agriculture (Department) has concluded its investigation and review of the above-referenced incident.

This is a warning only. The Department does not intend to take further enforcement action against you for the alleged violation(s) at this time and no monetary penalty is being assessed. You should, however, review the section of this letter entitled "Recommended Actions to Ensure Future Compliance" to avoid potential future violations and possible penalties.

SUMMARY OF ALLEGED VIOLATIONS

Violation 1: Use inconsistent with labeling

Statement of Facts:

On May 22, 2025, a Department inspector conducted a complaint-based inspection on Cypress Cove Association Maintenance Group (HOA) at 3686 Tanglewood Trail, Spring Branch, TX 78070. The inspection found the following:

The volunteers that applied Remedy Ultra Herbicide (EPA Reg No. 62719-552) for Cypress Cove Association Maintenance Group (HOA) made their application by mixing vegetable oil with the herbicide and applying the mixture with an eyedropper. The label for Remedy Ultra Herbicide states "Apply with a backpack or knapsack sprayer using low pressures and a solid cone or flat fan nozzle."

Applying Remedy Ultra Herbicide with an eyedropper caused the herbicide to be applied in a more restrictive manner than what is directed on the label.

RECOMMENDED ACTIONS TO ENSURE FUTURE COMPLIANCE

To ensure compliance with the state's structural pest control laws and regulations, the Department recommends you, your company, and/or your employees take corrective action to understand and comply with the laws and regulations that govern structural pest control.

POSSIBLE PENALTIES FOR FUTURE VIOLATIONS

If in the future the Department finds you have committed similar violations of the state's structural pest control laws or regulations, the Department may, among other actions, impose a penalty of up to \$5,000 per violation per day. Please also note that any future enforcement actions or penalty assessments may use this warning letter as evidence the subsequent violation was a knowing or willful act of noncompliance.

Although this case is being closed without any penalty assessment, our decision is subject to reevaluation if the Department receives additional evidence showing the alleged violations are more egregious than now apparent.

To obtain a copy of the investigation report, send an e-mail to pub.info@texasagriculture.gov or send a letter to the above address. Ask for "a copy of Incident Investigation Report 5011-00048511."

If you have questions regarding this matter, please contact Tylar Wiley, Case Preparation Officer, at (512) 463-7179.

Sincerely,

David Castillo
Deputy General Counsel