**Section 250.180 Administrative Penalties**

a) The Department will only assess a point value penalty from the violation criteria (Section 24.1 of the Act) when it is determined that such penalty can be assessed. In no case shall the same or similar violation criteria be assessed penalty points more than once for each violation.

b) If the complaint or incident was caused by and the responsibility of the customer or purchaser of the product or service to perform their duties as agreed to either orally or by written contract, then the applicator shall not be subject to the penalty points assessment so long as the applicator has notified the customer or purchaser of their duties to comply with the pesticide use and that the applicator is consistent with that notification to all his customers or purchasers. Oral instructions or agreements shall be verified in writing and made available for review at the Department's request.

(Source: Added at 12 Ill. Reg. 12784, effective July 26, 1988)