

STATE OF MINNESOTA
COUNTY OF BLUE EARTH

DISTRICT COURT
FIFTH JUDICIAL DISTRICT

State of Minnesota, by the Minnesota
Department of Agriculture, and Thom Peterson
in his Official Capacity as the Commissioner
of the Department of Agriculture,

Court File No. _____
Case Type: Civil Other/Misc.

Plaintiffs,

COMPLAINT

vs.

Donata J. Klingel (a/k/a Donata J. Adam),
James R. Adam, and any other residents of 125
W. Lewis Street, Mankato, Minnesota 56001,

Defendants.

Plaintiff State of Minnesota, by the Minnesota Department of Agriculture, and Thom Peterson in his Official Capacity as the Commissioner of the Department of Agriculture for their complaint against Defendants Donata J. Klingel, James R. Adam, and any other residents of 125 W. Lewis Street, Mankato, Minnesota 56001, allege as follows:

INTRODUCTION

1. This case is a civil action brought by the State of Minnesota and Thom Petersen in his official capacity as the Commissioner of the Minnesota Department of Agriculture (collectively hereinafter referred to as “MDA”), pursuant to Minn. Stat. §§ 103D.301, subds. 3-4 and 18D.325, subd. 1. It arises from Defendants’ violation of state and federal pesticide regulations.

2. Defendants Donata Klingel and James Adam live together in the Lincoln Park Neighborhood of Mankato, Minnesota.

3. Defendants placed multiple rodent bait blocks (i.e. rat poison) near the front sidewalk of their home to deter dog owners from letting their pets urinate on Defendants' lawn. At least one dog consumed a rodenticide bait, requiring the owner to induce vomiting.

4. Federal and State law define pesticides to include rodenticides.

5. Pesticides, such as bait blocks and other rodenticides, must be applied in strict accordance with their labels' use and safety instructions. Labels for rodenticide bait blocks mandate, among other things, the use of tamper-resistant bait stations for outdoor, above ground use. Failure to comply with a pesticide label is a violation of both state and federal law.

6. Applicable labels for rodenticide bait blocks also prohibit targeting dogs or wildlife with bait blocks.

7. The MDA requests that the Court order Defendants to comply with state and federal pesticide laws, pay an appropriate civil penalty of up to \$7,500 for each day they illegally placed bait blocks on their property near public sidewalks, and pay for MDA's litigation costs and expense in this action.

PARTIES

8. The MDA is a statutory agency of the State of Minnesota responsible for administering and enforcing statutes and rules related to pesticides, which statutes and rules have general application throughout the State. Statutes governing pesticide use are contained in Minn. Stat. ch. 18B. The MDA's rules governing pesticide use are codified in Minn. R. ch. 1505.

9. Commissioner Petersen is the Commissioner of MDA. He sues in his official capacity.

10. Defendant Donata Klingel, Defendant James Adam, and other possible unnamed Defendants reside at 125 W. Lewis Street, Mankato, Minnesota 56001. Defendant Klingel is the registered owner of the property.

JURISDICTION AND VENUE

11. The Court has personal jurisdiction over Defendants because Defendants reside in Blue Earth County. The Court has subject matter jurisdiction of this action pursuant to Minn. Stat. § 484.01.

12. Venue in Blue Earth is proper under Minn. Stat. § 542.09 because the cause of action arose in Blue Earth County.

REGULATORY BACKGROUND

13. The United States Environmental Protection Agency (EPA) is the primary regulator of pesticides, which are used, in part, to destroy, repel, or mitigate pests like rodents. *See* 7 U.S.C. § 136(t)-(u); *see also* Minn. Stat. § 18B.01, subds. 17-18.

14. The EPA exercises this authority under several federal statutes. The most important of these is the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). *See* 7 U.S.C.A § 136 *et seq.* Relevant here, FIFRA (and rules promulgated thereunder) prohibits the use of pesticides within the United States unless they are registered for use by the EPA. 7 U.S.C. § 136a(a). This process ensures that, when applied properly, a pesticide will not generally cause unreasonable risk to human health or the environment. 40 C.F.R. 152.112; 40 C.F.R. 158.34.

15. One way pesticide registration achieves this goal is through the review and approval of a pesticide's label. 40 CFR 152.100-.119. The label includes, among other things, the site of application, the target pests associated with each site, and other requirements that protect public health and the environment. *See* 40 CFR 156.10(i)(2). EPA-registered pesticide labels carry the full force and effect of law. *See* 7 U.S.C. § 136j(1)(G). This means any use of a pesticide that is inconsistent with its label is a violation of federal pesticide regulations. *Id.*

16. In Minnesota, the legislature delegated to MDA “the sole regulatory authority over the terrestrial application of pesticides” within the state. Minn. Stat. § 18B.03, subd. 1. Minnesota

law mirrors FIFRA and prohibits the use of a pesticide that is inconsistent with its EPA-approved label. Minn. Stat. § 18B.07, subd. 1-2(a)(1).

17. If MDA staff observe illegal pesticide usage, the State, on behalf of MDA, may bring an enforcement action in district court that seeks injunctive relief, as well as a civil penalty of up to \$7,500 per day of violation. Minn. Stat. §§ 18D.301, subd. 3-4 and 18D.325, subd. 1.

18. Further, a person who knowingly violates state pesticides laws, or does so in a manner that endangers human health, is guilty of a gross misdemeanor. Minn. Stat. § 18D.331, subd. 2.

FACTUAL BACKGROUND

19. Pesticides used to kill rodents, i.e. rodenticides or “rat poison,” contain active ingredients that fall into three different categories: first-generation anticoagulants, second-generation anticoagulants, and non-anticoagulants.¹ Both first- and second-generation anticoagulants prevent blood clotting and death can result from excessive internal and external bleeding.² Second-generation anticoagulants are especially hazardous because they are highly toxic and remain in body tissue for extended periods of time.³ Because death may take several days, rodents may ingest enough poison that their carcasses contain lethal amounts of poison that are then consumed by other animals.⁴ Non-anticoagulants are typically neurotoxins that cause uncontrollable muscle contractions that lead to rapid asphyxiation and death.⁵

¹ *Rodent Control Pesticide Safety Review*, EPA, <https://www.epa.gov/rodenticides/rodent-control-pesticide-safety-review> (last visited June 30, 2026).

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

20. Dogs that ingest rat poison may experience lack of coordination, tremors, seizures, paralysis, internal or external bleeding, organ failure, and in some cases death.⁶

June 26, 2026

21. Connie Rockvam resides in the same neighborhood as Defendants. On Friday, June 26, Ms. Rockvam was at home when her husband returned from walking their dog. Ms. Rockvam's husband showed her an item that appeared to be a green block of rat poison (i.e. a bait block) that had been chewed by their dog during the walk. Ms. Rockvam's dog obtained the bait block from Defendants' front lawn.

22. Ms. Rockvam went online to confirm the item was rat poison and to determine first aid for her dog. Ms. Rockvam then induced vomiting and saw chunks of rat poison in her dogs' vomit.

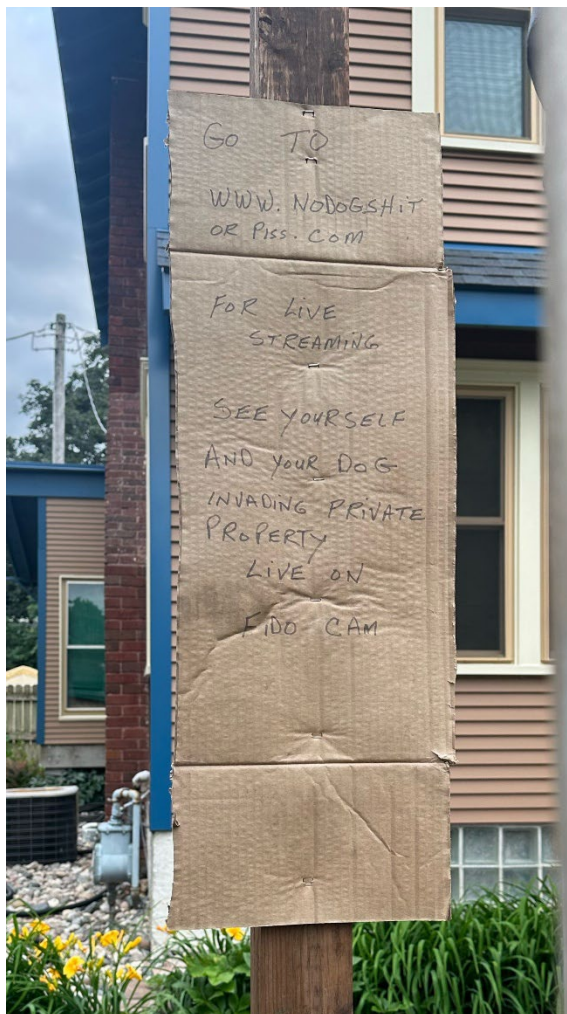
23. Mr. Rockvam's husband returned to Defendants' home to speak with them, but no one responded when he knocked on the front door.

June 27, 2026

24. On Saturday, June 27, after hearing reports that another dog may have ingested rat poison in her neighborhood, Ms. Rockvam walked passed Defendants' home and saw multiple blocks of rat poison out in the front mulch directly next to the sidewalk. None of the bait blocks were inside bait stations. Ms. Rockvam also observed the presence of cameras and a sign that she had seen in the past stating "No Dog Piss." Photos taken by Ms. Rockvam are below:

⁶ *My Dog Ate Rat Poison, Now What? Rat Poisoning in Dogs*, PetMD, <https://www.petmd.com/dog/poisoning/rat-poisoning-dogs> (last visited June 30, 2026).





25. That same day, Samantha Maranell, who also resides in Defendants' neighborhood, saw a Facebook post from Fur's-a-Flyin', a local grooming business. The post stated that one of their client's dogs had ingested rat poison that was left next to a public sidewalk and included a photograph of the house where the poison was located.

26. Ms. Maranell recognized the house as Defendants' home, located at 125 W. Lewis Street in Mankato. Ms. Maranell recognized the house, in part, based on the large, homemade sign stating "No Dog Piss," which she had previously seen in person.

27. Ms. Maranell then walked over to Defendants' home with her boyfriend to see if the bait blocks were still outside. Ms. Maranell observed 14 bait blocks scattered in the mulch

directly next to the public sidewalk and under the large, homemade sign stating “No Dog Piss.”

Another sign was present below a video camera stating that one could visit a website to view a livestream from the camera. Photos taken by Ms. Maranell’s boyfriend are below:





28. The bait blocks were in a location that was easily accessible to both children and pets.

June 29, 2026

29. Nathan Rolling is employed as an Agricultural Chemical Investigator by MDA.

30. On June 29, Mr. Rolling responded to a complaint that MDA received regarding the improper use of rodenticide at 125 W. Lewis Street, Mankato, Minnesota. The complaint reported that the homeowners had placed over a dozen blocks of rat poison directly next to the public sidewalk without the use of protective bait stations.

31. When Mr. Rolling arrived at 125 W. Lewis Street, he knocked and rang the doorbell, but no one answered. While Mr. Rolling stood at the front door, he noticed a black

Chevrolet pickup truck driving slowly by the home. Mr. Rolling returned to his vehicle and the same black Chevrolet truck parked behind him. An older female quickly got out of the passenger side of the truck and went inside. Mr. Rolling returned to the front door and knocked in an attempt to speak with the woman.

32. While Mr. Rolling waited for the woman to answer the front door, the man who had been driving the black Chevrolet yelled from the street and asked what Mr. Rolling was doing at his home.

33. Mr. Rolling approached the vehicle and introduced himself as an inspector from MDA. Mr. Rolling showed the driver his credentials and explained that he was investigating a complaint regarding the improper use of bait blocks without bait stations adjacent to a public sidewalk.

34. The driver told Mr. Rolling that it was private property, denied Mr. Rolling entry, and told Mr. Rolling that there was nothing to discuss.

35. Mr. Rolling returned to his vehicle and called his supervisor, who then contacted the Mankato Police Department. A short-time later, two Mankato police officers arrived at the scene. The police officers spoke with the homeowners, but the homeowners would not come outside to speak with Mr. Rolling.

36. When Mr. Rolling arrived at the home, he observed blocks of rodenticide on the inside of the fence in the front yard. The bait blocks looked similar to the rodenticide depicted in the photographs taken by Ms. Marnell's boyfriend.

37. Mr. Rolling did not observe the product containers for the bait blocks placed by Defendants in their front lawn, but Mr. Rolling is unaware of any rodenticide label that authorizes its use without a tamper resistant bait station that is resistant to destruction by pets or children.

38. That same day, Mankato news station KEYC reported multiple incidents related to the rat poison in Defendants' front lawn.⁷ Specifically, KEYC reported that two dogs ingested what appeared to be rat poison from Defendants' yard—one was treated by induced vomiting while the other required hospitalization. KEYC further reported that the family living in the home behind Defendants' property had a 13-year-old Malamute, Emma, pass away two weeks prior from excessive bleeding from her rectum. A local vet hospital confirmed to KEYC that excessive rectal bleeding is a common symptom of many commercial rat poisons.

COUNT I
FAILURE TO COMPLY WITH EPA-APPROVED PESTICIDE LABEL
Minn. Stat. § 18B.07, subs. 1 and 2(a)

39. The MDA re-alleged paragraphs 1-38 of this Complaint.

40. Minn. Stat. § 18B.07, subd. 1 requires that pesticides, which include rodenticides, “must be applied in accordance with the product label or labeling and in a manner that will not cause unreasonable adverse effects on the environment within limits prescribed by this chapter and FIFRA.” *See also* Minn. Stat. § 18B.07, subd., 2(a) (“A person may not use . . . a pesticide . . . in a manner[] that is inconsistent with a label or labeling as defined by FIFRA.”).

41. All known rodenticide block labels approved by EPA prohibit the use of rodenticide bait blocks in outdoor, above ground locations unless placed in a tamper resistant bait station that is resistant to destruction by pets or children. Further, all known rodenticide block labels require that the blocks be kept away and out of reach from children and pets.

⁷ *Mankato dog owners raise concerns about rat poison on West Lewis Street*, KEYC, <https://www.keyc.com/2026/06/30/mankato-dog-owners-raise-concerns-about-rat-poison-west-lewis-street/> (last visited June 30, 2026).

42. Defendants placed rodenticide blocks outside, on the ground surface, without the use of tamper-resistant bait stations, near a public sidewalk that was easily accessible to both children and pets.

43. Pursuant to Minn. Stat. § 18B.07, Defendants violated state law by failing to use the rodenticide blocks at issue in a manner consistent with their EPA-approved label.

COUNT II
INJUNCTIVE RELIEF
Minn. Stat. §§ 18B.07 and 18D.301, subds. 3-4

44. The MDA re-alleges paragraphs 1-43 of this Complaint.

45. Minn. Stat. § 18D.301, subds. 3-4 authorizes MDA to pursue a civil enforcement action, including one for injunctive relief, “to prevent, restrain, or enjoin violations of [chapter 18B].”

46. As set forth above, Defendants have violated Minn. Stat. § 18B.07, subds. 1-2(a) by failing to use rodenticide blocks in accordance with their EPA-approved label.

47. MDA is entitled to an injunction that prohibits Defendants from further violating state pesticide laws.

COUNT III
CIVIL PENALTY
Minn. Stat. § 18D.325, subd. 1

48. The MDA re-alleges paragraphs 1-47 of this Complaint.

49. Minn. Stat. § 18D.325, subd. 1 states, in relevant part, that “a person who violates [chapter 18B] . . . is subject to a civil penalty of up to \$7,500 per day of violation as determined by the Court.”

50. As set forth above, Defendants violated Minn. Stat. § 18B.07, subds. 1-2(a) by placing rodenticide blocks outside, on the ground surface without using the required tamper-resistant bait stations.

51. The Court should award a civil penalty of up to \$7,500 for each day Defendants violated state law and exposed countless children and pets to potential rodenticide poisoning.

RELIEF

WHEREFORE, MDA prays that the Court issue its order and judgment as follows:

1. Declare that Defendants' failure to use rodenticide blocks in a manner consistent with their EPA-approved pesticide label is a violation of MDA's statutes and rules related to pesticide usage.
2. Enjoin Defendants from continuing to violate MDA's pesticide regulations.
3. Require Defendants to preserve all camera footage recorded by the camera placed outside Defendants' residence beginning April 1, 2026 and on an ongoing basis until the bait blocks are removed.
4. Assess against Defendants a civil penalty, pursuant to Minn. Stat. § 18D.325, subd. 1, in an amount to be determined by the Court, for their violation of MDA's pesticide regulations.
5. Grant such further and other relief as the Court deems just and proper.

SIGNATURE ON NEXT PAGE

Dated: July 1, 2026

Respectfully submitted,

KEITH ELLISON
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s/ Oliver J. Larson

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MINN. STAT. § 549.211 ACKNOWLEDGMENT

The party on whose behalf the attached document is served acknowledges through its undersigned counsel that sanctions, including reasonable attorney fees and other expenses, may be awarded to the opposite party or parties pursuant to Minn. Stat. § 549.211.

Dated: July 1, 2026

/s/ Oliver J. Larson

Oliver Larson

Assistant Attorney General

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