



JOHN ELIAS BALDACCI  
GOVERNOR

STATE OF MAINE  
MAINE DEPARTMENT OF AGRICULTURE, FOOD & RURAL RESOURCES  
BOARD OF PESTICIDES CONTROL  
28 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0028

SETH H. BRADSTREET III  
COMMISSIONER  
HENRY S. JENNINGS,  
ACTING DIRECTOR

**BOARD OF PESTICIDES CONTROL**

**December 15, 2006**

Colby Thomas Rooms, Hampton Inn  
425 Kennedy Memorial Drive, Waterville  
(Exit 127 from I-95)

AGENDA

**9:30 A.M.**

1. Introductions of Board and Staff
2. Minutes of the November 17, 2006 Board Meeting

Presentation By: Henry Jennings  
Acting Director

Action Needed: Amend and/or approve

3. Request from Training Development Corporation for Grant to Help Support a Worker Protection Safety Training Program for Summer 2007.

Since 1995, the Board has supported a Migrant and Seasonal Farmworker Program conducted by the Training and Development Corporation (TDC) of Bucksport. During this past year, 635 individuals received training under this project. TDC is planning to again work in partnership with the Maine Migrant Health Program to host two AmeriCorps members and one Health Educator during the 2007 agricultural season. The staff will point out that the total cost will be similar to the past year and that amount has been budgeted in the Board's FY '07 work plan.

Presentation By: David Klein, M.S.  
TDC Principal Practitioner

Action Needed: Discussion and determination if the members wish to fund this grant request

4. Workshop Session to Review the Rulemaking Record on Proposed Revisions to Chapters 10, 20, 21, 27, 28, 31, 40 and 41

A public hearing was held on November 17, 2006 on a series of minor housekeeping amendments to eight different rule chapters. Four people spoke at the public hearings and 13 written comments

were received prior to the December 1, 2006 deadline. The Board will review the comments and begin discussions about whether the proposed amendments are warranted.

Presentation By: Henry Jennings  
Acting Director

Action Needed: Determine whether revisions are warranted

5. Review of Draft Report to the Legislature Pursuant to Public Law 2006, Chapter 553

Public Law 2006, Chapter 553 requires the Board to complete an assessment of risks and benefits from applying pesticides near marine waters for control of the browntail moth and report its findings and recommendations to the legislature by January 2, 2007. The Board addressed its responsibilities under the law and has reviewed two draft reports at its previous two meetings. The staff will present an updated draft report that incorporates suggestions from the November 17<sup>th</sup> meeting.

Presentation By: Henry Jennings  
Acting Director

Action Needed: Direct staff on developing report to the legislature

6. Review of Issues Relating to State Registration of Bt Forage Corn and Board Policy on Health/Resistance Reviews

Dating back to 1994, the Board has entertained four state registration requests for plant-incorporated pesticides containing the gene expressing the  $\delta$  endotoxin from the *Bacillus thuringiensis* bacterium. The first request involved the Newleaf potato which the Board approved in 1995. It turned out to be commercially unviable and was later discontinued by the registrant. The second set of requests was for Bt forage corn that was denied in 1998 due to a failure on the part of registrants to demonstrate scientific evidence of a need. At that time the Board verbally formalized a policy calling for the Medical Advisory Committee review of the health effects and an Ad Hoc Resistance Committee to discuss the potential development of insect resistance.

There are now over ten years of experience nationally with Bt corn. The Board will review the current state of the science relating to Bt corn and whether its previous review policy is still warranted.

Presentations By: John Jemison  
Board Member and Extension Professor

Lebelle Hicks  
Staff Toxicologist

Action Needed: Determine appropriate procedures for reviewing registration requests for plant-incorporated pesticides

7. Discussion Concerning Potential Development of an Indoor Notification Registry

At its July 21, 2006 meeting, the Board reviewed a list of potential discretionary tasks that had been prioritized through a voting process. Development of an indoor notification registry was ranked as its sixth priority. The staff will lead a discussion seeking to determine whether there is consensus to move forward with this task, and if so, what the basic tenets might be.

8. Other Old or New Business

- a. 2006 Product Registration Summary – W. Smith
- b. Letter on Vertebrate Pest Control from the National Pest Management Association – H. Jennings
- c. Legislative Update – H. Jennings
- d. Update on the Technical Committee on Drift – L. Hicks

9. Schedule and Location of Future Meetings

January 19, 2007 in Waterville, February 16, 2007 and March 16, 2007 are the tentative dates for the next Board meetings.

- a. Adjustments and/or Additional Dates?

10. Adjourn

NOTE: The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at [www.thinkfirstspraylast.org](http://www.thinkfirstspraylast.org).

NOTE: Any person wishing to receive notices and agendas for meetings of either the Medical or Environmental Risk Advisory Committees must submit a request in writing to the Board's office. Any person with technical expertise who would like to volunteer for service on either committee is invited to submit their resume for future consideration.

NOTE: On March 27, 1998, the Board adopted the following policy on accepting written comments:

For regular business meetings, the staff will continue to reproduce letters and short reports delivered to the Augusta office prior to the day of the meeting. Persons sending faxes or electronic submissions should call to verify that their document was received in its entirety and in legible condition. Persons should also be aware that lengthy documents will have to be sent to the State's Central Printing Office which may require up to a three day lead time to get them back. If time is short, those people will be advised to make their own copies. At a minimum, fourteen copies are recommended so as to include the Board, the Assistant Attorney General, the Director, another staff member responsible for the topic, one for the person requesting the agenda article, and three extras for press and other interested parties.