



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
COMMISSIONER

HENRY S. JENNINGS
DIRECTOR

July 2, 2009

TO: Board Members

FROM: Gary Fish, Manager, Pesticide Programs

RE: Draft Policy to Exempt Vocational Agriculture Farms and Greenhouses from Certain Requirements in Chapter 27 - Standards for Pesticide Application and Public Notification in Schools

After talking with a number of high school vocational agriculture teachers and visiting a greenhouse operation at the Portland Arts and Technology High School, I am convinced that we need to loosen the regulatory burden on these operations in order for them to teach their students and to allow them to grow the crops their operations depend upon. At the June meeting you agreed that staff should draft a policy to achieve this result and Mark Randlett agreed that it was an appropriate step to consider.

Below I have attempted to draft a policy. You will need to review and approve this language at the July meeting if you agree that this policy needs to be implemented. You may want to consider only allowing the exemptions for greenhouses that are not attached to other school buildings and for nurseries and agricultural fields that are a specified distance away from the main school buildings.

The major problems posed by Chapter 27 for these operations are the five-day notification requirement for non-exempt pesticide applications in Section 4(B) and the limitations on indoor applications under Section 5(D).

Draft policy:

Areas of schools, such as but not limited to greenhouses, nursery plots or agricultural field plantings, utilized for vocational agricultural plots or research are exempt from CMR 01-026 Chapter 27, Section 4(B) and Section 5(D).

In lieu of these requirements, school staff, and parents or guardians of students that enter these areas must be specifically notified about the potential for pesticide applications to occur in the above mentioned areas and about this policy that exempts applications in these areas from future application-specific notices.

You may also want them to train all students that are involved with treated plants to be trained as Agricultural Workers according to the Worker Protection Standard.

If you have any questions about the draft policy, please call or email me.