



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

BOARD OF PESTICIDES CONTROL

**November 6, 2020
9:00 AM**

Video conference hosted in MS Teams, to join the meeting:

Web link for the Microsoft Teams meeting:

[Join Microsoft Teams Meeting](#)

Dial in phone number: 1 (207) 209-4724

Conference ID: 810 058 278#

AGENDA

1. Introductions of Board and Staff
2. Minutes of the September 18, 2020 Board Meeting

Presentation By: Megan Patterson, Director
Action Needed: Amend and/or approve
3. Presentation from the Office of Marijuana Policy (OMP) on the Regulation of Pesticide Use in Maine Cannabis Production

At the September 18 meeting, the Board received a letter and comment from John Jemison regarding current regulation of pesticide use on Maine-grown cannabis. The Board expressed interest in understanding how pesticide use on cannabis and potential pesticide residues are currently regulated. The staff was asked to invite a representative of the OMP to a future Board meeting. The OMP will now provide an overview of existing regulations pertaining to pesticide use and pesticide residues on adult-use and medical marijuana.

Presentation By: Megan Patterson, Director and a

Action Needed: Determine next steps

4. Continuation of the BPC Budget Review with a Focus on the Cost of MEPERLs Support, Maintenance, Hosting, and Licensing

During the September 18, 2020 Board review of the its projected 2023 budget, the increasing cost of MEPERLS was discussed. Following a robust discussion of MEPERLS and the projected costs, staff was asked to invite representatives from Pegasystems and Stratosphere to a future Board meeting. The State of Maine Office of Information Technology serves an essential role in negotiating contracts with both Pegasystems and Stratosphere and can provide a comprehensive overview of the technology and the relative costs. The Maine Office of Information Technology will now provide an overview of the proposed ongoing costs of MEPERLS.

Presentation By: Megan Patterson, Director

Action Needed: Determine next steps

5. Consideration of the EPA Special Local Need [FIFRA Section 24(c)] Request to Extend the Use of Sandea Herbicide (Canyon Group and Gowan Company) to Manage Perennial Broadleaf Weeds in Lowbush Blueberries in the Non-Bering Year

In 2016, the Board approved two Section 24(c) registrations for Sandea Herbicide (EPA Reg. Nos. 81880-18 and 81880-18-10163). The existing 24(c) registrations will expire December 31, 2020. The University of Maine Cooperative Extension submitted this renewal request for a 24(c) registration. This product is one of two Herbicide Resistance Action Committee (HRAC) Group 2 herbicides reviewed and supported by Extension for use in rotation on lowbush blueberries.

Presentation By: Mary Tomlinson, Pesticide Registrar/Water Quality Specialist

Action Needed: Approve/disapprove 24(c) registration request

6. Consideration of a Board Policy to Assess the Standard Registration Fee for Review of Section 24(c) Registrations

Maine assesses an annual registration fee for all pesticides registered in Maine with a current exception for Section 24(c) registrations. Due to the additional EPA, Board, and staff reviews required, these registrations present a considerable additional demand on Board resources. For this reason and for administrative purposes, it may be prudent for the Board to create consistency across all product registrations. The Board will review the staff's memorandum and discuss the policy proposal.

Presentation By: Mary Tomlinson, Pesticide Registrar and Water Quality Specialist

Action Needed: Discuss and approve/disapprove the proposed policy

7. Consideration of a Board Policy on Approaches for Confirming Attendance of Live, On-line Recertification Training Courses

Following considerable Board discussion, this topic was tabled at the July 24, 2020 meeting of the Board. Staff have since conducted and proctored numerous live, on-line recertification courses. The Board will now review and discuss the staff's proposed guidelines for verification of attendance at live, on-line certification trainings.

Presentation By: John Pietroski, Manager of Pesticide Programs

Action Needed: Discuss and approve/disapprove the proposed policy

8. Other Old and New Business

a. 2020 Obsolete Pesticide Program Review

b. Ag Trades Show Update

c. Fall Recertification Programming Review

10. Schedule of Future Meetings

January 20, 2020 is the next proposed meeting date. The Board will decide whether to change and/or add dates.

Adjustments and/or Additional Dates?

12. Adjourn

NOTES

- The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at www.thinkfirstspraylast.org.
- Any person wishing to receive notices and agendas for meetings of the Board, Medical Advisory Committee, or Environmental Risk Advisory Committee 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.
- On November 16, 2007, the Board adopted the following policy for submission and distribution of comments and information when conducting routine business (product registration, variances, enforcement actions, etc.):
 - *For regular, non-rulemaking business*, the Board will accept pesticide-related letters, reports, and articles. Reports and articles must be from peer-reviewed journals. E-mail,

hard copy, or fax should be sent to the Board's office or pesticides@maine.gov. In order for the Board to receive this information in time for distribution and consideration at its next meeting, all communications must be received by 8:00 AM, three days prior to the Board meeting date (e.g., if the meeting is on a Friday, the deadline would be Tuesday at 8:00 AM). Any information received after the deadline will be held over for the next meeting.

- During rulemaking, when proposing new or amending old regulations, the Board is subject to the requirements of the APA (Administrative Procedures Act), and comments must be taken according to the rules established by the Legislature.