



**STATE OF MAINE**  
**DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY**  
**BOARD OF PESTICIDES CONTROL**  
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**Memorandum**

To: Board of Pesticides Control

From: Megan Patterson | Director | Maine Board of Pesticides Control

Subject: Affidavit Submission Extension and By Request Limited Duration Extensions

Date: December 2, 2022

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In 2021 and 2022, the Board conducted rulemaking in response to LD 264—Resolve, Directing the Board of Pesticides Control To Gather Information Relating to Perfluoroalkyl and Polyfluoroalkyl Substances in the State. This resolve directed the Board to amend its rules addressing product registration and require the submission of specific affidavits. Specifically, the Board was directed to “require manufacturers and distributors to provide affidavits stating whether the registered pesticide has ever been stored, distributed or packaged in a fluorinated high-density polyethylene container and to require manufacturers to provide an affidavit stating whether a perfluoroalkyl or polyfluoroalkyl substance is in the formulation of the registered pesticide.”

The Board finally adopted these rules on April 1, 2022. Staff communicated these regulatory changes to pesticide product registrants. Staff also worked with contracted developers to create functionality to collect affidavits in the pesticide product registration and renewal process. This work was completed prior to the November 1 start of the registration renewal season. However, some registrants have indicated that they need additional time to address confidential business and trade secret information.

Affidavit submission is now a mandatory component of product registration and registration renewal. Product registrations expire on December 31 each year. To permit an extension for the submission of affidavits it is simplest if companies are permitted an extension for the submission of product registration renewal.

For those companies seeking an extension on the submission of affidavits, staff is proposing a limited duration extension of the submission of product registration renewal of no greater than two months, to end on February 28, 2023. Extensions will only be provided for those companies who request an extension and provide sufficient reason for the request in writing.

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