



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

February 25, 2022

9:00 AM Board Meeting

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

Join on your computer or mobile app

[Click here to join the meeting](#)

Or call in (audio only)

[+1 207-209-4724](#) United States, Portland

Phone Conference ID: 957 600 187#

AGENDA

1. Introductions of Board and Staff

2. Minutes of the January 14, 2022 Board Meeting

Presentation By: Megan Patterson, Director

Action Needed: Amend and/or approve

3. Report on 2021 Work Accomplished and Request for Funds for Mosquito Monitoring from the Integrated Pest Management Program

The Integrated Pest Management Program is reporting work accomplished in 2021 and requesting funds to assist with ongoing efforts for mosquito surveillance, identification, and continued outreach around vector-borne diseases.

Presentation By: Hillary Peterson, DACF IPM Specialist

Action Needed: Discussion and determination if the Board wishes to fund this request

4. Adaura, LLC Request for 24(c) Registration for GoalTender™ Herbicide

MEGAN PATTERSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731
WWW.THINKFIRSTSPRAYLAST.ORG

At the request of Maine Cooperative Extension and broccoli growers, Adaura, LLC supports the Special Local Need [24(c)] Registration ME-22000X and the sub-SLN registration for Nufarm INC ME-22000XB for the use of GoalTender™ herbicide (oxyfluorfen, EPA Reg. #62719-447 and EPA Reg. #62719-447-71368) for post-emergent weed control on broccoli. Where the number of herbicides available to manage weeds in broccoli is limited, this product remains the only alternative for post-emergence control of broadleaf weeds that escape preemergent herbicide treatment.

Presentation By: Mary Tomlinson, Pesticides Registrar/Water Quality Specialist
Dr. Pam Bryer, Pesticides Toxicologist

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

5. Workshop Session to Review the Rulemaking Record on the Proposed Amendments to Chapters 20 and 41

(Note: No additional public comments may be accepted at this time.)

On December 22, 2021 a Notice of Agency Rulemaking Proposal was published in Maine's daily newspapers, opening the comment period on the proposed amendments to Chapters 20 and 41. A public hearing was held on January 14, 2022 by remote meeting on the Microsoft Teams platform and the written comment period closed at 8:00 AM on January 24, 2022. Eight people spoke at the public hearing and eleven written comments were received by the close of the comment period. Three additional comments were received after the close of the comment period. The Board will now review the rulemaking comments and determine how it wishes to proceed with the rulemaking proposals.

Presentation By: Megan Patterson, Director

Action Needed: Discussion and determination on how the Board wishes to proceed with the rulemaking proposals

6. Consideration of a Consent Agreement with Green Shield Pest Solutions of Saco, Maine

On June 3, 1998 the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine to resolve the matter. This case involved an unauthorized pesticide application and failure to positively identify the proper treatment site.

Presentation By: Ray Connors, Manager of Compliance

Action Needed: Amend and/or approve

7. Election of Officers

The Board's statute requires an annual election of officers. The members will choose a chair and vice-chair to serve for the coming year.

Presentation By: Megan Patterson, Director

Action Needed: Nomination and election of officers

8. Other Old and New Business

a. Summary of 2022 Ag Trades Show Activities—Pietroski

b. Executive Order 41 FY 20/21 Proposed Water Quality Project—Bryer

c. Briefing on LD 519 (MAC and Herbicide Use on School Grounds) Report for the Legislature's ACF Committee—Scheduled for February 15, 2022

d. Briefing on LD 264 (PFAS) Report for the Legislature's ACF Committee—Scheduled for February 17, 2022

e. Briefing on LD 524 (Collection of Pesticide Use and Sales Information) Report for the Legislature's ACF Committee—Scheduled for February 24, 2022

f. Other items?

9. Schedule of Future Meetings

April 1, 2022 is the next tentative Board meeting date. The Board will decide whether to change and/or add dates.

The Board will also decide if there is a continuing need to meet remotely.

Adjustments and/or Additional Dates?

10. 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.