



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

January 14, 2022

9:00 AM Board Meeting
11:00 AM-12:00 PM Public Forum
12:00 Board Meeting Continued As Necessary

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

Join on your computer or mobile app

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Or call in (audio only)

+1 207-209-4724 United States, Portland

Phone Conference ID: 440 033 928#

AGENDA

1. Introductions of Board and Staff
2. Public Hearing on Proposed Rule Amendments to Chapters 20 and 41

The Board will hear testimony on the proposed amendments:

Chapter 20—Three amendments are proposed:

1. Define “Perfluoroalkyl and Polyfluoroalkyl Substances” or “PFAS”.
2. Add a requirement for registrants to submit a confidential statement of formula to register their product with the state of Maine.
3. Add two affidavit requirements; one affidavit that asks registrants to disclose if their pesticide product has ever been stored in a fluorinated high-density polyethylene container and a second affidavit asking registrants to disclose if the formulation of the pesticide product contains any perfluoroalkyl or polyfluoroalkyl substances.

Chapter 41—Two amendments are proposed:

1. Add a new section pertaining to neonicotinoids (dinotefuran, clothianidin, imidacloprid, or thiamethoxam) to restrict registration and prohibit use in outdoor residential landscapes for the purposes of managing pests in turf and ornamental vegetation. Add a clause allowing use for management of invasive invertebrate pests in ornamental vegetation.

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2. Add a new section prohibiting the use of chlorpyrifos, except for licensed applicators who obtain a use permit from the Board to apply chlorpyrifos products purchased prior to December 31, 2022.

3. Minutes of the November 19, 2021 Board Meeting

Presentation By: Megan Patterson, Director

Action Needed: Amend and/or approve

4. Request for Financial Support from the Maine Mobile Health Program and the Eastern Maine Development Corporation

Since 1995 the Board has supported the Migrant and Seasonal Farmworker Safety Education program. The Maine Mobile Health Program (MMHP) and the Eastern Maine Development Corporation (EMDC) provided training to 128 farmworkers during the 2021 season. Funding to support the effort in 2022 is being requested in the amount of \$6,432, which is the same funding amount provided by the Board in 2021. The funding has been accounted for in the Board's FY22 budget.

Presentation By: Elizabeth Charles McGough, Director of Outreach and Deputy Director, Maine Mobile Health

Chris Huh, Program Manager, Farmworkers Jobs Program, Eastern Maine Development Corporation

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

5. Medical Advisory Committee Interim Report on Herbicide Use at Schools and Human Health

At the July 16, 2021, meeting, the Board reviewed pesticide-related bills enacted by the Maine Legislature. LD 519—An Act to Protect Children from Exposure to Toxic Chemicals, directed the Board to convene the Medical Advisory Committee (MAC) to assess the human health impacts of herbicide use on school grounds. At the same meeting, the Board agreed that the MAC should take up the LD 519 directive to evaluate the potential impact of herbicides used on school grounds on human health. Following three meetings of the MAC, staff have prepared an interim report incorporating commentary from MAC members. This report has been reviewed by MAC members and includes recommended next steps approved

by MAC members. Staff will provide an overview of the report for Board consideration, discussion, and approval/disapproval. LD 519 required submission of a report by February 1, 2022.

Presentation By: Megan Patterson, Director

Dr. Pam Bryer, Toxicologist

Action Needed: Approve/disapprove submission of the interim report to the Maine Legislature Agriculture, Conservation and Forestry Committee

6. Other Old and New Business

a. LD 264 Final Report

b. LD 524 Final Report

c. Executive Order 41 FY 20/21 Listening Session and Final Report

d. Staff Update on the Contract for Testing Center Exam Administration

e. CropLife Article on First U.S. T-30 Drone Approval Granted

f. Organization for Economic Co-operation and Development Literature Review on Unmanned Aerial Spray Systems in Agriculture

g. Other items?

7. Schedule of Future Meetings

February 18, 2022 and April 1, 2022 are tentative Board meeting dates. 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?

8. 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.