



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

July 10, 2026

9:00 AM Board Meeting

Join the meeting in person in Room 101, Deering Building, 90 Blossom Lane, Augusta
Or

Microsoft Teams Meeting

Join: <https://teams.microsoft.com/meet/276753929830876?p=8oKN8SBRC5PoJif8qT>

Meeting ID: 276 753 929 830 876

Passcode: Qj3Qk2mY

Dial in by phone

[+1 207-209-4724,,679137039#](tel:+12072094724679137039) United States, Portland

[Find a local number](#)

Phone conference ID: 679 137 039#

AGENDA

1. Introductions of Board and Staff
2. Stakeholder Input Gathering Session Regarding L.D. 1323, Resolve, Directing the Board of Pesticides Control to Evaluate the Impact of Neonicotinoids on pollinators, Humans, and the Environment

A provision in section 2 of L.D. 1323 requires that the Board seek stakeholder input regarding the seven research topics outlined in Section 1 of the resolve. This is the first of two planned stakeholder input gathering sessions.

Presentation by: Alexander Peacock, Director

Action Needed: None, Informational

ALEXANDER PEACOCK, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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

3. Minutes of June 5, 2026 Board Meetings

Presentation By: Alexander Peacock, Director
Action Needed: Amend and/or Adopt

4. Consideration of proposed policy framework for 25(b) Citronella Candle Registration and soft claims

The BPC pesticide registrar seeks to establish a standardized regulatory policy to improve the review and registration process for citronella candles that qualify for an exemption from FIFRA under Section 25(b).

Presentations By: Julia Vacchiano, Pesticide Registrar & Water Quality Specialist
Action Needed: Discussion, Approve/Disapprove

5. Overview of Board member composition and establishment

An overview of the composition of the Board as outlined in M.R.S. Title 22 §1471-B. Board of Pesticides Control, current Board member vacancies, and upcoming term expirations.

Presentation By: Alexander Peacock, Director
Action Needed: None, Informational

6. Other Old and New Business

- a. Variance Permit for CMR01-026, Damariscotta Mills Consulting, Inc.
- b. Municipal Ordinance, Belgrade, ME
- c. Press release regarding rulemaking adoption for Chapter 40: Restricted and Limited Use Pesticides

7. Schedule of Future Meetings

The next scheduled Board meeting date is August 21, 2026, at the Deering Building, Room 101, Augusta

Future Meetings: October 2, 2026, November 13, 2026, and December 18, 2026

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.



132nd MAINE LEGISLATURE

FIRST SPECIAL SESSION-2025

Legislative Document

No. 1323

H.P. 858

House of Representatives, March 27, 2025

**An Act to Prohibit the Use of Neonicotinoid Pesticides and the Use
and Sale of Neonicotinoid-treated Seeds**

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

ROBERT B. HUNT
Clerk

Presented by Representative DOUDERA of Camden.
Cosponsored by Senator INGWERSEN of York and
Representatives: CLUCHEY of Bowdoinham, FROST of Belgrade, GRAMLICH of Old
Orchard Beach, HEPLER of Woolwich, PLUECKER of Warren, SINCLAIR of Bath,
Senators: TALBOT ROSS of Cumberland, TEPLER of Sagadahoc.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 7 MRSA c. 103, sub-c. 11-B** is enacted to read:

3 **SUBCHAPTER 11-B**

4 **NEONICOTINOID PESTICIDES**

5 **§1061. Definitions**

6 As used in this subchapter, unless the context otherwise indicates, the following terms
7 have the following meanings.

8 **1. Agricultural emergency.** "Agricultural emergency" means an occurrence of any
9 pest that presents an imminent risk of significant harm or injury to or loss of agricultural
10 crops.

11 **2. Bloom.** "Bloom" means the period from the onset of flowering for a plant or the
12 process of flowering of a plant until petal fall is complete.

13 **3. Crop group.** "Crop group" means the groupings of agricultural commodities
14 specified in 40 Code of Federal Regulations, Section 180.41 (2023).

15 **4. Environmental emergency.** "Environmental emergency" means an occurrence of
16 any pest that presents a significant risk of harm or injury to the environment or significant
17 harm or injury to or loss of agricultural crops, including any exotic or foreign pest that may
18 need preventive quarantine measures to avert or prevent that risk, as determined by the
19 commissioner.

20 **5. Neonicotinoid pesticide.** "Neonicotinoid pesticide" means any pesticide containing
21 a chemical belonging to the neonicotinoid class of chemicals, including imidacloprid,
22 nithiazine, acetamiprid, clothianidin, dinotefuran, thiacloprid, thiamethoxam and any other
23 chemical designated by the commissioner by rule as belonging to the neonicotinoid class
24 of chemicals.

25 **6. Neonicotinoid-treated seed.** "Neonicotinoid-treated seed" means a treated seed
26 that is treated or coated with a neonicotinoid pesticide.

27 **7. Ornamental plants.** "Ornamental plants" means perennial, annual, biennial and
28 ground cover plants purposefully planted for aesthetic reasons.

29 **§1062. Prohibited; application of neonicotinoid pesticides**

30 **1. Prohibited application.** The following uses of neonicotinoid pesticides are
31 prohibited:

32 A. Outdoor application to any crop during bloom;

33 B. Outdoor application to soybeans or any crop in the cereal grains crop group;

34 C. Outdoor application of neonicotinoid pesticides to crops harvested after bloom in
35 the leafy vegetables; brassica; bulb vegetables; herbs and spices; and stalk, stem and
36 leaf petiole vegetable crop groups; and

37 D. Application to ornamental plants.

1 **2. Exemptions.** The commissioner, after consultation with the Commissioner of
2 Environmental Protection, may waive the requirements of this section and issue a written
3 exemption order if the commissioner determines that:

4 A. A valid environmental emergency or agricultural emergency exists;

5 B. The neonicotinoid pesticide would be effective in addressing the environmental
6 emergency or the agricultural emergency under paragraph A; and

7 C. A less harmful pesticide that is not a neonicotinoid pesticide or pest management
8 practice would not be as effective in addressing the environmental emergency or the
9 agricultural emergency under paragraph A.

10 **3. Written exemption order contents.** A written exemption order issued under
11 subsection 2:

12 A. May not be valid for a period of more than one year;

13 B. Must specify the neonicotinoid pesticides, uses and crops or plants to which the
14 exemption order applies; the date on which the exemption order takes effect; the
15 exemption order's duration; and the exemption order's geographic scope, which may
16 include specific farms, fields or properties; and

17 C. Must provide a detailed evaluation supporting a determination that an
18 environmental emergency or agricultural emergency exists.

19 **4. Written exemption order restrictions.** A written exemption order issued under
20 subsection 2 may establish restrictions on the use of neonicotinoid pesticides to which the
21 exemption order applies to minimize harm to pollinator populations, bird populations,
22 ecosystem health and public health or that the commissioner considers necessary.

23 **5. Rescission.** The commissioner, after consultation with the Commissioner of
24 Environmental Protection, may rescind a written exemption order issued under subsection
25 2 at any time. A rescission may not go into effect until at least 15 days after the issuance
26 of the written exemption order.

27 **§1063. Prohibition on the use and sale of neonicotinoid-treated seeds**

28 **1. Prohibition.** A person may not sell, offer for sale or use, distribute or use any
29 neonicotinoid-treated seed for soybeans or for any crop in the cereal grains crop group.

30 **2. Exemptions.** The commissioner, after consultation with the Commissioner of
31 Environmental Protection, may waive the requirements of this section and issue a written
32 exemption order only if:

33 A. The person seeking the exemption order:

34 (1) Completes integrated pest management training, provided by the commissioner
35 or an approved 3rd party;

36 (2) Completes a pest risk assessment and submits a pest risk assessment report to
37 the commissioner; and

38 (3) Maintains current records of the pest risk assessment report under subparagraph
39 (2) and records of when neonicotinoid-treated seeds are planted, both of which are
40 subject to review upon request by the commissioner; and

STATE OF MAINE

—
IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-FIVE

—
H.P. 858 - L.D. 1323

Resolve, Directing the Board of Pesticides Control to Evaluate the Impact of Neonicotinoids on Pollinators, Humans and the Environment

Sec. 1. Board of Pesticides Control to study neonicotinoids. Resolved: That the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control, referred to in this resolve as "the board," shall study:

1. The impacts of neonicotinoids, including neonicotinoid-treated seeds, on pollinators;
2. The costs and benefits of neonicotinoid-treated seeds compared to untreated seeds, including the market availability of neonicotinoid-treated seeds compared to untreated seeds;
3. The impact of neonicotinoids on the environment, including, but not limited to, soil, water and plant tissues;
4. The toxicity of neonicotinoids to humans;
5. Alternatives to neonicotinoid seed treatments for the protection of crops from damaging pests and disease;
6. The toxicity of effective alternatives to neonicotinoids and neonicotinoid-treated seeds that may be used for the protection of crops from damaging pests and disease; and
7. Methods of application of alternatives to neonicotinoids and neonicotinoid-treated seeds and the required number of applications for effectiveness.

In conducting the study under this section, the board shall give special consideration to effects on potato crops and corn crops.

Sec. 2. Request for information. Resolved: That the board shall solicit feedback regarding ideas and insights on the topic of the study, pursuant to section 1, from the public, stakeholders and interested parties through either a public hearing or a request for information document.

Sec. 3. Reports. Resolved: That the board shall submit a preliminary report to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 15, 2026 and shall submit a final report with findings and recommendations relating to the

subject matter of the study under section 1 to the joint standing committee of the Legislature having jurisdiction over agricultural matters no later than January 15, 2027. The joint standing committee may submit a bill to the 133rd Legislature in 2027 relating to the subject matter of the final report.

Sec. 4. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF
Pesticides Control - Board of 0287**

Initiative: Provides funding for contractual services to research the effects of neonicotinoids.

OTHER SPECIAL REVENUE FUNDS	2025-26	2026-27
All Other	\$156,500	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$156,500	\$0

1. Introductions of Board and Staff

- Adams, Bohlen, Carlton, Fanning, Gray, Neavyn
- Boyd, Gayoso, Gustanski, Johnston-Fennel, Leibowitz, , Peacock, Poisson, Steinman, Vacchiano, Van Hoewyk

2. Minutes of April 10, 2026, and May 11, 2026 Board Meetings

Presentation By: Alex Peacock, Director
Action Needed: Amend and/or Adopt

**Carlton/Bohlen: Moved and Seconded to adopt April 10, 2026, meeting minutes
In Favor: Unanimous**

**Fanning/Adams: Moved and Seconded to adopt May 11, 2026, meeting minutes
In Favor: Unanimous**

3. Consideration of additional comments related to LD 356: Resolve, Directing the Board of Pesticides Control to Prohibit the Use of Rodenticides in Outdoor Residential Settings

The Board's staff has received additional comments related to the LD 356 rulemaking, including from a resident in South Portland, State legislators, and a professional trade organization.

Presentations By: Alexander Peacock, Director
Action Needed: Discussion

- Peacock informed the board that after the public comments were closed, additional submissions were received from citizens, state legislators, and a trades union. While these comments cannot be added to the official documents, they are important for Board awareness.
- Peacock noted that during one of the work sessions for this bill, an amendment was proposed to remove the notification exemption for the placement of bait boxes in Chapter 28. Changing notification requirements would involve major substantive rulemaking, which is one of the reasons the change was not brought forward.
- Bohlen clarified that if the Board decided to make any changes to the current proposed rulemaking, they would have to go back to the public comment stage, which would cause the proposed restriction of rodenticides to take longer.
- Adams agreed the conversation should be continued in the future once the second-generation anti-coagulants are restricted.

4. Consideration of Proposed Rulemaking for Amendments to Chapter 40: Restricted and Limited Use Pesticides

The proposed amendments to Chapter 40, Section 1(B) include the addition of the 4 second-generation anticoagulant rodenticide active ingredients: brodifacoum, bromadiolone, difenacoum, difethialone, and the herbicide active ingredient: tebuthiuron.

Presentation By: Alexander Peacock, Director

Action Needed: Approve/Disapprove

- Peacock introduced the proposed amendments for the restriction of second-generation anti-coagulant rodenticide active ingredients and one herbicide active ingredient to commercial applicators only.

Bohlen/Carlton: Moved and Seconded to move into rulemaking.

In favor: Unanimous

5. Consideration of Consent Agreement with Trugreen Lawncare of Westbrook

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 application to a property without prior authorization.

Presentations By: Jose Gayoso, Compliance Manager

Action Needed: Discuss; Approve/Disapprove

- Gayoso informed the Board of a misapplication performed by a Trugreen employee in August of 2025. The applicator in question did not properly verify the address before applying to the house and ended up applying to the neighboring home by mistake. Gayoso also mentioned that later that month, he received a multi-faceted complaint from a former employee of Trugreen. He could not verify all of the complaints, but he noted that one was about the lack of proper tools to confirm addresses. Supposedly applicators were given tablets, but they often times didn't work out in the field and applicators had to resort to using their personal devices.
- Gayoso then brought up a previous consent agreement with Trugreen that had similar problems. Trugreen came to the Board with a system that would use GPS to confirm customer addresses, but it was never properly implemented. The regional manager agreed that the applicator did not do their job properly, and that they should have knocked on the door to confirm the address.
- Carlton asked if the new penalty matrix was used for this consent agreement.
- Peacock clarified that the incident was before the new fines were implemented.

**Carlton/Adams: Moved and Seconded to approve consent agreement with Trugreen
Lawncare of Westbrook
In favor: Unanimous**

6. Other Old and New Business

- a. Variance Permit for CMR01-026, Chapter 29, RWC, Inc.
- b. Variance Permit for CMR01-026, Chapter 29, Basswood Environmental, LLC
- c. New Active Ingredient: Fluazaindolizine, Salibro®, EPA Reg. No. 352-932
- d. Interim Report to Evaluate the Impact of Neonicotinoids on Pollinators, Humans and the Environment

7. Schedule of Future Meetings

The next scheduled Board meeting date is July 10, 2026, at the Deering Building, Room 101, Augusta

Future Meetings: August 21, 2026, October 2, 2026, November 13, 2026, December 18, 2026

Adjustments and/or Additional Dates?

8. Adjourn

**Carlton/Fanning: Moved and seconded to adjourn at 10:40
In Favor: Unanimous**

NOTES

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 - *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.

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JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

Memorandum

TO: Board of Pesticides Control

FROM: Julia Vacchiano, Pesticide Registrar & Water Quality Specialist

Re: Proposed Policy Framework for 25(b) Citronella Candle Registration and Soft Claims

July 10, 2026

Background

As the BPC registrar, I would like to establish a standardized regulatory policy to improve the review and registration process for citronella candles that qualify for an exemption from FIFRA under Section 25(b). This policy is proposed to ensure regulatory consistency for products that do not make explicit claims to mitigate public health pests but have a colloquial understanding and use for repellency or “soft claims.” In Maine, registration is required for products with 3% or more citronella because they are considered pesticides according to FIFRA Section 3. Current Section 3 registrations exist, implying that the EPA has found the efficacy for these products to be sufficient. Therefore, this policy is proposed to allow for citronella candles to be marketed with soft repellency claims without the submission of efficacy data.

Defining a “Soft Claim”

A soft claim, in this policy, would be defined as a non-specific, marketing or performance claim about a pest. Soft claims can be made against “odor-causing bacteria” or could claim to make an environment less favorable for pests. They do not claim to directly mitigate or improve a potentially harmful pest situation. AAPCO standards, which Maine requires 25(b) products to uphold for registration, demand efficacy data for products that claim to mitigate public health pests (ticks, mosquitoes, bed bugs). This proposed policy would create a narrow and targeted exception of efficacy requirements for citronella candles that only make soft claims. The EPA has established the efficacy of products with identical active ingredient concentrations, proving efficacy of a 3% or higher citronella concentration. “Soft claims” may also mean a complete lack of any claim on a product that is understood by the public to “repel mosquitos.”

Any explicit claims of mosquito repellency will continue to require the submission of efficacy data that meets AAPCO efficacy standards for 25(b) products while products that explicitly state they are “citronella scented” only or NOT for the repellency of mosquitos will not require registration (when below 3% citronella.)



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Product	Registration Required?	Efficacy Data Required?	Efficacy Standard
>3% citronella with no claims	Yes	No	N/A
<3% citronella or explicit labeling "not for repellency"	No	No	N/A
>3% citronella with soft claims	Yes	No	Exempt from AAPCO 75% threshold; accepted based on EPA 3% active ingredient justification
>3% citronella with explicit repellency claims	Yes	Yes	Must meet AAPCO 75% Threshold

Proposal

I request that approval be granted by the Board to enact this memo as registration policy for BPC registration staff going forward. Many citronella candle producers are not advertising with any repellency claims and are not attempting to imply that they will repel mosquitoes. However, due to a long-standing idea among the public that they do effectively protect people from bites when near the candles, a soft claim still inherently exists. The process of registering citronella candles would be improved by allowing registrants of candles with no explicit claims and 3% or greater citronella to register their minimum-risk product without submitting efficacy data. It will also prevent registrants from testing products to prove claims that are not stated.



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JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

Memorandum

To: Board of Pesticides Control
From: Alexander Peacock, Director
Subject: Board Member Appointments

July 10, 2026

Background:

Pursuant to MRS Title 22 §1471-B. Board of Pesticides Control: The Board must be composed of 7 members, appointed by the Governor and subject to the approval of the Legislative committee for Agriculture, Conservation, and Forestry.

The 7 members shall include:

- one person with expertise in the agricultural use of pesticides,
- one person with expertise in the use of pesticides in forest management,
- one commercial applicator, one person from the medical community,
- a scientist from the University of Maine System,
- 2 individuals appointed to represent the public. (The 2 members appointed to represent the public must have a demonstrated interest in environmental protection. A member appointed to represent the public may not have a financial interest in activities regulated by the board and may not be an individual who has been or is licensed, certified or given a permit in this State or any other state for activities regulated by the board.)

Current term expirations:

- Commercial Applicator, 7/23/2025
- Agriculture Expert, 7/23/2027
- Forestry Expert, 7/23/2027
- University Scientist, 7/23/2026
- Medical Expert, 7/23/2026
- Public member, 7/23/2028
- Public member, 7/23/2028, Remains Vacant since 7/23/2024

ALEXANDER PEACOCK, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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

Conclusion:

Qualified individuals seeking a confirmable appointment or reappointment to the Board of Pesticides Control (BPC) are encouraged to visit the Governor's Boards and Commissions webpage at <https://www.maine.gov/governor/mills/about/boards>.

Additional questions about Board operations may be directed to the Director of the BPC, Alexander Peacock, alexander.r.peacock@maine.gov, (207) 287-2731

§1471-B. Board of Pesticides Control

1. Board established. The Board of Pesticides Control is established by Title 5, section 12004-D, subsection 3, within the Department of Agriculture, Conservation and Forestry. Except as provided in this chapter, the board must be composed of 7 members, appointed by the Governor, subject to approval by the joint standing committee of the Legislature having jurisdiction over agricultural matters and confirmation by the Senate. To provide the knowledge and experience necessary for carrying out the duties of the board, the board must consist of the following members: one person with practical experience and knowledge regarding the agricultural use of chemicals; one person who has practical experience and knowledge regarding the use of chemicals in forest management; one person from the medical community; a scientist from the University of Maine System specializing in agronomy, entomology or plant pathology having practical experience and expertise in integrated pest management; one commercial applicator; and 2 persons appointed to represent the public. The 2 members appointed to represent the public must have a demonstrated interest in environmental protection. A member appointed to represent the public may not have a financial interest in activities regulated by the board and may not be an individual who has been or is licensed, certified or given a permit in this State or any other state for activities regulated by the board. The term must be for 4 years, except that of the initial appointees, 2 serve 4-year terms, 2 serve 3-year terms, 2 serve 2-year terms and one serves a one-year term. Any vacancy must be filled by an appointment for the remainder of the unexpired term.

[PL 2021, c. 179, §1 (AMD).]

2. Organization of the board. The board shall elect a chair and any other officers it determines necessary from among the membership. The board shall meet at the call of the chair or at the request of any 3 members. Four members constitute a quorum and, except as otherwise provided in this subsection, any action requires the affirmative vote of the greater of either a majority of those present and voting or at least 2 members. Any action by the board requesting that the Attorney General pursue a court action against an alleged violator of any law or rule requires an affirmative vote by 3 members or a majority of those present and voting, whichever is greater. The chair and any other officers shall serve in those capacities for a period of one year following their elections.

[PL 1989, c. 841, §4 (AMD).]

3. Compensation of the board. Each public member shall be compensated according to the provisions of Title 5, chapter 379.

[PL 1983, c. 812, §120 (RPR).]

4. Director. The commissioner shall appoint a director, with the approval of the board. The director is the principal administrative, operational and executive employee of the board. The director shall attend and participate in all meetings of the board, but may not vote. The director, with the approval of the commissioner and the board, may hire any competent professional personnel and other staff the director considers necessary. All employees of the board are subject to Title 5, Part 2. The director may obtain office space, goods and services as required.

[RR 2021, c. 2, Pt. B, §88 (COR).]

5. Staff. The board must establish standards for the delegation of its authority to the director and staff. Any person aggrieved by a decision of the director and staff has a right to a review of the decision by the board. The Commissioner of Agriculture, Conservation and Forestry shall provide the board with administrative services of the department, including assistance in the preparation of the board's budget. The commissioner may require the board to reimburse the department for these services.

[PL 1989, c. 841, §5 (AMD); PL 2011, c. 657, Pt. W, §6 (REV).]

6. Registration of pesticides.

[PL 1981, c. 112, §1 (RP).]

7. State contracts. Notwithstanding any other provisions of law, members of the board are eligible to contract with the State when the contracts are awarded in accordance with normal bidding procedures of the Department of Administrative and Financial Services. Members also are eligible to receive grants when grants are awarded in accordance with normal state procedures. A member may not vote on the award of a contract or grant for which that member has submitted a bid or proposal.
[PL 2007, c. 466, Pt. A, §40 (RPR).]

8. Meetings. The board shall periodically meet in various geographic regions of the State. When considering an enforcement action, the board shall attempt to meet in the geographic region where the alleged violation occurred.
[PL 1989, c. 841, §6 (NEW).]

SECTION HISTORY

PL 1975, c. 293, §4 (AMD). PL 1975, c. 397, §2 (NEW). PL 1977, c. 696, §181 (AMD). PL 1979, c. 644, §3 (RPR). PL 1979, c. 731, §19 (AMD). PL 1981, c. 112, §1 (AMD). PL 1981, c. 470, §A66 (AMD). PL 1981, c. 632, §§1,2 (AMD). PL 1983, c. 309 (AMD). PL 1983, c. 812, §§119,120 (AMD). PL 1985, c. 779, §60 (AMD). PL 1985, c. 785, §A95 (AMD). PL 1987, c. 702, §2 (AMD). PL 1989, c. 503, §B83 (AMD). PL 1989, c. 841, §§4-6 (AMD). PL 1991, c. 376, §45 (AMD). PL 2007, c. 466, Pt. A, §40 (AMD). PL 2007, c. 466, Pt. B, §17 (AMD). PL 2011, c. 119, §1 (AMD). PL 2011, c. 119, §2 (AFF). PL 2011, c. 657, Pt. W, §§5, 6 (REV). PL 2019, c. 192, §1 (AMD). PL 2021, c. 179, §1 (AMD). RR 2021, c. 2, Pt. B, §88 (COR).

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STATE OF MAINE
 DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
 BOARD OF PESTICIDES CONTROL
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JANET T. MILLS
 GOVERNOR

AMANDA E. BEAL
 COMMISSIONER

June 24, 2026

Damariscotta Mills Consulting, Inc.
 Robert Barkalow
 25 Main St.
 Nobleboro, ME 04555

RE: Variance permit for CMR 01-026 Chapter 29, Damariscotta Mills Consulting, Inc.

Greetings,

The Board of Pesticides Control has considered your application for a variance from Chapter 29 for Station Road in Newcastle. The variance is approved, provided that all products to be used are currently registered in the State of Maine or were registered at the time of purchase and that any application is made above the high-water line.

The Board authorizes the issuance of three-year permits for Chapter 29. Therefore, this permit is valid until December 31, 2028, as long as applications are consistent with the information provided on the variance request. Please notify the Board in advance of changes, particularly if you plan to use a different product from those listed.

Please bear in mind that your permit is based upon your company adhering to the precautions listed in Section X of your Chapter 29 variance request. The utmost caution should be taken when applying adjacent to open water, including curtailing operations if rain is in the forecast during the 24-hour period after the application.

I will alert the Board at its next meeting that the variance permit has been issued. If you have any questions concerning this matter, please feel free to contact me at 287-2731.

Sincerely,

Alexander Peacock
 Director

ALEXANDER PEACOCK, DIRECTOR
 90 BLOSSOM LANE, DEERING BUILDING



PHONE: (207) 287-2731
 THINKFIRSTSPRAYLAST.ORG

BOARD OF PESTICIDES CONTROL
APPLICATION FOR VARIANCE PERMIT
(Pursuant to Chapter 29, Section 6 of the Board's Regulations)

I. Robert Barkalow (bob.barkalow@gmail.com) O: 207-458-3389 C: 973-214-9458
Name Telephone Number

Damariscotta Mills Consulting, Inc.
Company Name

25 Main Street Nobleboro Maine 04555
Address City State Zip

II. Robert Barkalow CMA-6156
Master Applicator (if applicable) License Number

25 Main Street Nobleboro Maine 04555
Address City State Zip

III. **As part of your application, please send a revegetation plan and digital photos showing the target site and/or plants and the surrounding area, particularly showing proximity to wetlands and water bodies, to pesticides@maine.gov**

IV. Area(s) where pesticide will be applied:
Near culvert on Station Road in Newcastle, Maine. This is part of a larger project to control knotweed along a 2/3 mile stretch of Station Road, and is the only area near water.

V. Pesticide(s) to be applied: (Including EPA Registration Number)
Round-Up Custom for Aquatic and Terrestrial Use, diluted to 50% per label instructions. EPA registration 524-343.

VI. Purpose of pesticide application:
Invasive knotweed removal and control.

VII. Approximate dates of spray application:
Not applicable. Knotweed stems will be treated with a cut-stump application in early July, with re-sprouts treated again in mid- to late-September. This will be repeated, as needed, for 3 – 5 years.

VIII. Application Equipment:
Four ounce "buckthorn blaster" bottles equipped with wicking tops. No powered equipment
will be used.

IX. Standard(s) to be varied from:
Chapter 29 section 6 (A) – Buffer Requirement. The treatment will use non-powered equipment
directed at the specific target pest (knotweed). However, due to the tenacity of knotweed,
treatment will need to be repeated for 3 – 5 years as the plant roots re-sprout, therefore all plant
stems will be treated. To facilitate this approach, a variance is requested from the 20% treatment
limit per calendar year for plants growing within 25' of the water.
Note that the total volume of pesticide applied will be well below the allowable maximum
yearly amount.

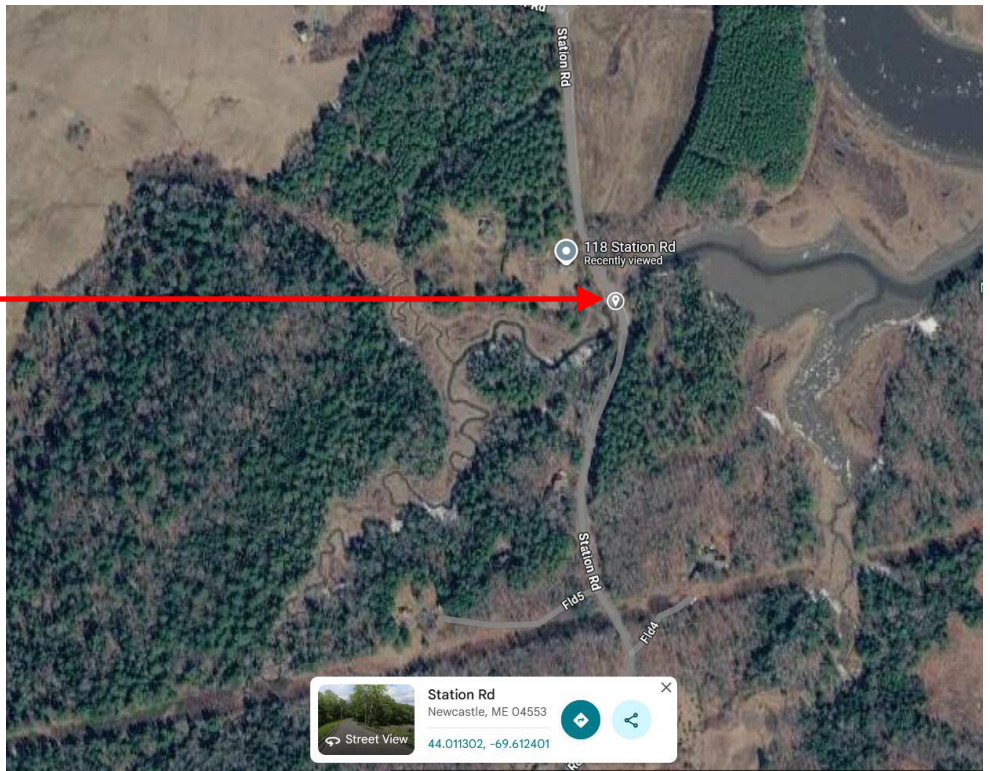
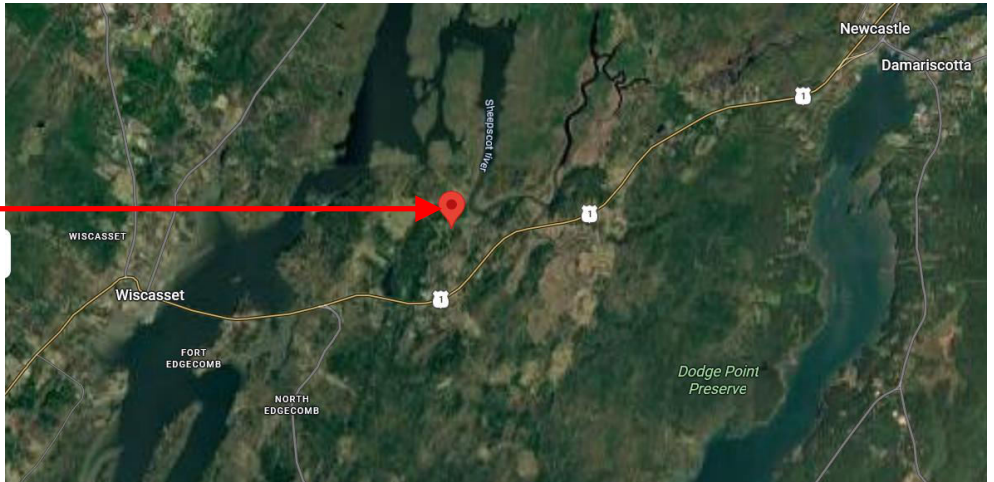
X. Method to ensure equivalent protection and Revegetation Plan:
The cut-stump application will be undertaken by a trained professional to ensure that all
chemicals are applied directly to the target pest and not released directly into any water.
Glyphosate's inherent quality for low-mobility in soil will further ensure the protection of water
resources.

XI. Revegetation Plan (attach separately if necessary)
Due to the small size of the knotweed patch (~100 sq. ft.), no re-planting will be necessary.
Native plants will fill in around the treatment site once the knotweed stops overshadowing the
area.

Signed:  Date: 6/23/2026

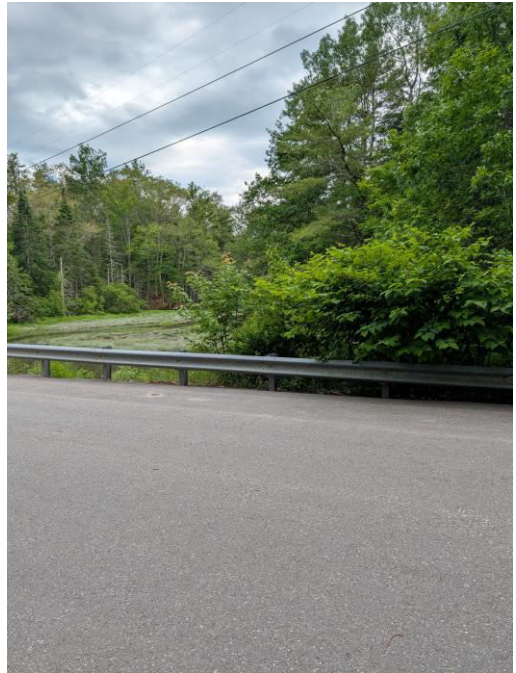
Return completed form to: **Board of Pesticides Control, 28 State House Station, Augusta, ME 04333-0028**
OR E-mail to: pesticides@maine.gov

Location of Knotweed for Variance Request



Bob Barkalow
Damariscotta Mills Consulting, Inc.
June, 2026

Small knotweed patch near
culvert on Station Road,
Newcastle



Bob Barkalow
Damariscotta Mills Consulting, Inc.
June, 2026

For Immediate Release

DATE

New Maine Restrictions on Certain Rodenticides and Herbicides Now in Effect

The Maine Board of Pesticides Control (BPC) is notifying homeowners, pesticide users, retailers, and applicators that new restrictions on certain rodenticides and herbicides took effect on June 16, 2026.

Under the new rules, products containing the following active ingredients are now classified as Restricted Use Pesticides in Maine:

Rodenticides

- Brodifacoum
- Bromadiolone
- Difenacoum
- Difethialone

Herbicides

- Tebuthiuron

As a result, these products may only be purchased and used by individuals who hold a valid pesticide applicator license issued by the BPC.

General Use Pesticide Dealers may no longer sell products containing these active ingredients, and unlicensed individuals may no longer purchase or use them.

What Homeowners Need to Know

Homeowners and other unlicensed individuals who currently possess products containing these active ingredients may no longer use them. Existing products should be stored safely and disposed of properly.

Residents are encouraged to contact their local municipality to learn about household hazardous waste collection events. Additional information about pesticide disposal options, including facilities that accept pesticides and annual collection programs, is available through the [BPC website](#).

Why the Rules Changed

The restrictions were enacted in response to legislation passed by the 132nd Maine Legislature, including:

- [LD 356, Resolve, Directing the Board of Pesticides Control to Prohibit the Use of Rodenticides in Outdoor Residential Settings](#) (Resolve 2026, Chapter 47)
- [LD 1697, An Act to Increase Penalties to Deter Violations of the Laws Regarding Improper Pesticide Use](#) (Public Law 2026, Chapter 292)

The legislation was intended to limit the use of Second-Generation Anticoagulant Rodenticides (SGARs) and Tebuthiuron-containing herbicides by homeowners and other unlicensed individuals.

The Board has posted a list of [currently registered products affected by these restrictions](#). The list was generated on June 23, 2026, and may not include products that are not currently registered but could seek future registration in Maine. Users should consult the [Board's website](#) for the most current list of registered pesticide products.

For additional information, including the complete rule language contained in [01-026 CMR Chapter 40](#), contact the BPC at pesticides@maine.gov or 207-287-2731.

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Subject Line: Effective June 16, 2026, Sales by General Use Dealers and purchases by unlicensed individuals are prohibited effective immediately

BODY

Attention Pesticide Dealers and Applicators

Effective June 16, 2026, new rules adopted by the Maine Board of Pesticides Control (BPC) classify certain rodenticides and herbicides as Restricted-Use Pesticides (RUPs) in Maine.

As of that date

- General Use Pesticide dealers may no longer sell these products.
- Individuals who are not licensed by the BPC may no longer purchase or use these products.

Affected Active Ingredients

Rodenticides

- Brodifacoum
- Bromadiolone
- Difenacoum
- Difethialone

Herbicides

- Tebuthiuron

Products containing these active ingredients may be sold only by RUP Dealers and may be purchased and used only by Maine-licensed Private and Commercial Applicators.

For GUP Dealers

If you have any of these products in stock, they may no longer be offered for sale. Please contact your distributor regarding return options or arrange for disposal through a licensed hazardous waste disposal company. Contact the BPC Compliance Manager, José Gayoso, jose.gayoso@maine.gov, with questions about disposal.

For Applicators and Users

Pesticides containing Brodifacoum, Bromadiolone, Difenacoum, Difethialone, or Tebuthiuron may not be purchased or used by individuals who do not hold a current pesticide applicator license issued by the BPC.

This action implements legislation enacted by the 132nd Maine Legislature, including:

- [*LD 356, Resolve, Directing the Board of Pesticides Control to Prohibit the Use of Rodenticides in Outdoor Residential Settings \(Resolve 2026, Chapter 47\)*](#)
- [*LD 1697, An Act to Increase Penalties to Deter Violations of the Laws Regarding Improper Pesticide Use \(Public Law 2026, Chapter 292\)*](#)

These laws were intended to restrict homeowner and other unlicensed use of Second-Generation Anticoagulant Rodenticides (SGARs) and herbicides containing Tebuthiuron.

A list of currently registered products affected by this rule is available on the [BPC website](#). The list was generated on June 23, 2026, and may not include products that seek future registration in Maine. For the most current information on registered pesticide products, [visit the BPC website](#).

Becoming a Restricted Use Pesticide Dealer

Dealers wishing to sell these products must:

- Pass the written dealer examination with a score of 80% or higher;
- Obtain a Restricted Use Pesticide Dealer License (\$60 for a three-year license); and
- Earn nine continuing education credits during each licensing period.

The complete rule language can be found in [01-026 CMR Chapter 40](#).

For additional information, contact the BPC at pesticides@maine.gov or 207-287-2731.

10. Excavation or filling in excess of ten (10) yards of material
11. Demolition of existing structures

The above-listed activities shall be permitted by the Planning Board only upon clear showing by the applicant that erosion and sedimentation levels during and subsequent to completion of the land use activity can be reliably maintained under all conditions so as not to exceed the extent of erosion and sedimentation which was observed under comparable conditions prior to undertaking of the proposed land use activity.

Upon completion of each land use activity permitted under this Section, a Maine Registered Professional Engineer shall certify to the Planning Board in writing that the activity permitted has been completed in compliance with the Soil and Erosion and Sedimentation Control Plan approved by the Planning Board.

Y. Fertilizer and Pesticide Use Restrictions

Within 100 feet of a great pond, river, or upland edge of a wetland, and within 75 feet of a stream, the use of phosphorous containing fertilizer and pesticides is prohibited. Gardens existing as of January 1, 2027, shrubs, and trees more than 25 feet from the normal high-water line of a great pond, river, and stream, or from the upland edge of a wetland are exempt from this prohibition. All distances are horizontal distances.

Section 16. Administration

A. Administering Bodies and Agents

1. Code Enforcement Officer (CEO): A Code Enforcement Officer shall be appointed or reappointed annually by July 1st.
2. Board of Appeals: A Board of Appeals shall be created in accordance with the provisions of Title 30-A Section 2691.
3. Planning Board: A Planning Board shall be created in accordance with the provisions of State law.

B. Permits Required

After the effective date of this Ordinance, no person shall, without first obtaining a permit, erect any structure or engage in any activity or use of land or structure requiring a permit in the district in which such activity or use would occur, or relocate, reconstruct, or replace an existing structure, or renew a discontinued non-conforming use. A person who is issued a permit pursuant to this Ordinance shall have a copy of the permit on site while the work authorized by the permit is performed.

- (1) A permit is not required for the replacement of an existing road culvert as long as:
 - (a) The replacement culvert is not more than 25% longer than the culvert being replaced;
 - (b) The replacement culvert is not longer than 75 feet; and
 - (c) Adequate erosion control measures are taken to prevent sedimentation of the water, and the crossing does not block fish passage in the watercourse.

- (2) A permit is not required for an archaeological excavation as long as the excavation is conducted by