



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**

**March 14, 2025**

**9:00 AM Board Meeting**

Join the meeting in person in Room 101, Deering Building, 32 Blossom Lane, Augusta  
**Or**

Join on your computer, mobile app or room device

[Join the meeting now](#)

Meeting ID: 266 477 214 715

Passcode: 8be6WW6f

**Dial in by phone**

[+1 207-209-4724,529619591#](tel:+12072094724529619591) United States, Portland

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Phone conference ID: 529 619 591#

**AGENDA**

1. Introductions of Board and Staff
2. Consideration of a Request for Financial Support from Maine Mobile Health

Since 1995 the Board has supported the Migrant and Seasonal Farmworker Safety Education program. The Maine Mobile Health Program (MMHP) provided training to 65 farmworkers during the 2024 season. Funding to support the effort in 2025 is being requested in the amount of \$6,432.00 which is the same funding amount provided by the Board in 2024. The funding has been accounted for in the Board's FY25 budget.

Presentations By: Hannah Miller, Director of Outreach, Maine Mobile Health  
Action Needed: Discussion and Approve/Disapprove this Request.

ALEXANDER PEACOCK, DIRECTOR  
90 BLOSSOM LANE, DEERING BUILDING



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

3. Minutes of the December 6, 2024 Board Meeting and January 15, 2025 Board Meeting

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

4. 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: Alex Peacock, Director  
Action Needed: Nomination and Election of Officers

5. Variance Permit Request for MDOT

MDOT is seeking a variance from CMR01-026 Chapter 29, Section 6 (A), to treat State-maintained rights-of-way, roads, and transportation facilities for evergreen and deciduous overgrowth, grasses and weeds in guardrail areas, pavement cracks, and invasive plants.

Presentations By: Alex Peacock, Director  
Action Needed: Discuss; Approve/Disapprove Variance Request

6. Request to Extend Special Local Need [24(c)] Registration for Express® Herbicide with TotalSol (FMC Corporation) for Spot Application and Bunchberry Control in Lowbush Blueberries

In September 2008, the Board first approved a Section 24(c) registration for DuPont Express® Herbicide with TotalSol (EPA Reg. No. 729-9594). The 24(c) was renewed in 2010, 2013, 2019, and 2021. In 2021, a five-year extension for this SLN was approved with the stipulation that University of Maine Cooperative Extension conduct groundwater testing. This 24(c) allows for spot applications to control labeled weeds during the prune year and applications in the fall after harvest and in the spring of the non-crop year to control bunchberry. The proposed SLN will expire on December 31, 2030.

Presentations By: Julia Vacchiano, Registrar  
Action Needed: Discuss; Approve/Disapprove SLN

7. Request for Variance Permit from Irving Woodlands and JBI Helicopters

Due to increased populations of spruce budworm and the threat of large-scale defoliation that may result in tree decline and death, aerial forestry insecticide applications are being considered for 2025 to combat the potential budworm outbreak. JBI Helicopters will be conducting aerial applications for Irving Woodlands and is seeking a variance permit for Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order to Minimize Off-Target Deposition Sections 3(B) and 3(C).

Presentations By: Alex Peacock, Director  
Action Needed: Discuss; Approve/Disapprove Variance Request

8. Spruce Budworm Control in Northern Maine

Brief update on staff activities regarding possible aerial spray applications to control spruce budworm. Dr. Doug Van Hoewyk, BPC toxicologist, has completed a risk assessment of the proposed products for the effort, which include the active ingredient *Bacillus thuringiensis* sub. *Kurstakii* (Btk) and tebufenozide.

Presentations By: Alex Peacock, Director  
Doug Van Hoewyk, Ph.D., Pesticide Toxicologist  
Action Needed: Discussion

9. Consideration of Consent Agreement with Mosquito Squad of Southern Maine of Scarborough

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 several incidents where there was use of a pesticide inconsistent with its product label, application to a property without prior authorization, and pesticide drift onto a sensitive area likely to be occupied.

Presentation By: Allison Smith, Compliance Manager  
Action Needed: Discuss; Approve/Disapprove

10. Consideration of Consent Agreement with Stephen Antonson of Rockport

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: Allison Smith, Compliance Manager  
Action Needed: Discuss; Approve/Disapprove

11. Other Old and New Business

- a. Variance Permit for CMR01-026, Chapter 29, New England Spray Tech, Shapleigh, ME
- b. Hiring of New Toxicologist, Dr. Doug Van Hoewyk
- d. EPA Announces Proposed Registration of New Pesticide Florylpicoxamid

e. EPA Shares Fish and Wildlife Service's Final Endangered Species Act Biological Opinion for Methomyl

f. Proposed Falmouth Municipal Ordinance

g. LD 356: An Act to Require Notification of Certain Outdoor Pesticide Applications

h. Final Service Container Policy

12. Schedule of Future Meetings

The next scheduled Board meeting date is April 25, 2025, at the Deering Building, Room 101, Augusta

Future Meetings: June 6, 2025, July 18, 2025

Adjustments and/or Additional Dates?

13. 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](http://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](mailto: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.