



August 27, 2021

Maine Board of Pesticides Control
28 State House Station
Augusta, ME 04333-0028

Re: Stakeholder Information Gathering Work Session on LD 155—Resolve, Directing the Board of Pesticides Control to Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use

Dear Director Patterson and the Maine Board of Pesticides Control:

The New England Pest Management Association (NEPMA), the trade group for structural pest management companies or “pest control” companies in Maine, appreciates the opportunity to share our thoughts on **LD 155—Resolve, Directing the Board of Pesticides Control to Prohibit the Use of Certain Neonicotinoids for Outdoor Residential Use**, as we want to be constructive in the rulemaking process. Also, we want to make it clear that we appreciate the opportunity to share our industry’s thoughts regarding professional structural pest control, protecting public health and property, and exemptions in LD 155 for the products used for “controlling or treating indoor pests, and controlling or treating insects outside around structural foundations and other parts of structures,” which largely encompasses structural pest control.

The professional structural pest control industry and our certified commercial applicators and operators use neonicotinoid pesticides in, on, and around structures to protect public health and property. Our industry professionally manages structural pests with neonicotinoids such as ants, bed bugs, carpenter ants, cockroaches, flies, termites, and many others. Structural pest control uses of neonicotinoid pesticides are exempt from the prohibition in LD 155, largely because of their importance in protecting public health and property and negligible risk to pollinators.¹ Additionally, NEPMA members support, teach, and implement Best Management Practices (BMPs) developed by the National Pest Management Association, which greatly increases the ability of our members to safely use pesticides in a manner that doesn’t impact pollinators.²

The Maine Board of Pesticides Control (BPC) has a creative project before them to both “... prohibit the use of any product containing the active ingredient dinotefuran, clothianidin, imidacloprid or thiamethoxam used for application in outdoor residential landscapes such as on lawn, turf or ornamental vegetation...”, and exempt products used for, “... controlling or treating indoor pests, and controlling or treating insects outside around structural foundations and other parts of structures...” (i.e., structural pest control). There are neonicotinoid pesticide products that are exclusively used for lawn, turf or ornamental vegetation (LTO) that can be easily classified for the prohibition in residential landscapes. Similarly, there

¹ "Neonicotinoid insecticides in New York State: Economic Benefits and Risk to Pollinators," Cornell University, p. 44, <https://pollinator.cals.cornell.edu/pollinator-research-cornell/neonicotinoid-report>

² NPMA Pollinator Best Management Practices (BMPs), <http://www.multibriefs.com/briefs/npma/PollinatorBMPsFINAL.pdf>

are neonicotinoid pest control products that are exclusively used for structural pest control that can be easily classified for the exemption. However, there are products that are labeled for both structural pest control and LTO purposes.

LD 155 requires the BPC to balance and uphold both the exemption for structural pest control and the prohibition of LTO uses in residential landscapes.

Therefore, to address instances where the label includes both structural pest control and LTO uses, NEPMA could envision the BPC changing the classification of these products from general use to restricted use, so the professional structural pest control industry could still have vital access to neonicotinoid products that are used for controlling or treating indoor pests and controlling or treating insects outside around structural foundations and other parts of structures – and the prohibition for LTO uses in residential landscapes could be simultaneously upheld.

Lastly, we acknowledge that this is a complex directive that requires creativity and are open to hearing other ideas on how to achieve both the required exemption and prohibition components in LD 155.

Thank you for the opportunity to provide input on this very important step in the rulemaking process.

Sincerely,

Ted Brayton
Past President
New England Pest Management Association