

Pesticide Notification: Your Rights & Responsibilities

Maybe your next door neighbors have their lawn or trees maintained by a landscape service. Or there's a farm or orchard near your home. You've wondered about the pesticides that are applied outdoors and want to know in advance when these products are used.

You have the right to know, but you also have the responsibility to take the first step. Maine law assures you that right in two ways:

the [self-initiated request for notification](#) or

the non-agricultural [notification registry](#)

Whichever of the two means of notification you choose, you will find that communications between pesticide users and you prevent the most common aggravation between neighbors: the element of surprise. Communication informs the applicator of your desire to be notified. And, you can take measures to protect yourself and your family from unintended or incidental exposure by closing windows, taking clothes off the laundry line, or keeping children and pets indoors.

Many people use pesticides for a variety of reasons. Examples of people who often use pesticides include homeowners, farmers and professional applicators. Everyone has the right to use pesticides, but with that right comes the responsibility to adhere to all the relevant pesticide application laws, and to notify nearby residents who request it.

A summary of applicable pesticide use laws may be found at <http://www.maine.gov/agriculture/pesticides/laws/index.htm>

[The information below would be found on a linked webpage]

Self-initiated Request for Notification

If you live or work within 500 feet (1,000 feet for aerial applications) of any outdoor site treated with pesticides—including agricultural land—you are entitled to receive information about pesticide applications. This law exists to enable you to obtain basic information from your neighbor applicator, such as what pesticides are applied and—if you request it—a forewarning as to when they are applied.

Under this option, the right to information begins with you; you must ask your neighbor to notify you. That request may be made in any fashion so long as the applicator is aware of your name, address, phone number, and—of course—your interest in being notified. And be as specific as possible about what you are requesting. That way there's less chance of misunderstanding your needs. Making a request in person is your best means of communicating; after all, you are neighbors.

The request should be made to the person responsible for management of the land on which a pesticide application takes place. If you are uncertain as to who should receive the request, contact the land owner directly. Your town or municipal office keeps names and addresses of land owners in the local tax records.

The law says your neighbor must make sure you are notified before pesticides are used. At no cost to you! In all likelihood the applicator was not aware of your concerns or maybe didn't know you were a neighbor!

Once the applicator, land manager, or land owner receives your request for notification, you can expect to be

informed. The timing of this notification must be agreed upon both by you and your neighbor. See <http://www.maine.gov/sos/cec/rules/01/026/026c028.doc> , Section 1 for the rules governing Self-Initiated Requests for Notification.

Non-Agricultural Pesticide Notification Registry

This registry is a list of Maine residents who wish to be contacted by commercial and at-home applicators prior to the use of pesticides. This registry best serves urban and suburban residents who otherwise have no means of knowing in advance when pesticides are applied on neighboring lawns, in landscapes, or around structures.

For an annual fee of \$20.00 (the fee may be waived in cases of financial hardship—[Application for Fee Waiver](#) [PDF]), residents' names and addresses are distributed to licensed commercial applicators. Once on the list, residents can expect applicators to provide pretreatment notification via telephone, personal contact, or mail. Such communication must occur between six hours and 14 days ahead of outdoor pesticide use within 250 feet of a registrant's property.

At-home applicators treating their own property can be required to notify registrants, too, if desired—but first you need to alert them of your wishes using a Board-supplied form.

To receive an application so you can be listed on the next registry, contact the BPC by phone 207-287-2731, e-mail pesticides@maine.gov, or download the [Pesticide Notification Registry Application](#) [PDF]. The deadline is December 31 to be included on the registry for the following year. See <http://www.maine.gov/sos/cec/rules/01/026/026c028.doc> , Section 2 for the rules governing the Non-Agricultural Pesticide Notification Registry.

- **2012 Non-Agricultural Pesticide Notification Registry** [[PDF](#) or [Excel](#)]

Registry Distribution

The registry is distributed to all commercial master-level applicators in Maine. The list is also available to anyone upon request, by downloading it from this site [[PDF](#) or [Excel](#)], or by requesting a printed copy from the BPC office. For more information contact Henry Jennings, director, at 207-287-2731 or henry.jennings@maine.gov.

For a copy of the regulation that assures your right to notification, call the BPC at 207-287-2731 or download [Chapter 28: Notification Provisions for Outdoor Pesticide Applications](#) [Word].

Poster

[PESTICIDE NOTIFICATION: Your Rights & Responsibilities](#) [PDF]