



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 15, 2023

1:30 PM Board Meeting

Join the meeting in person in Room 118, Marquardt Building, 32 Blossom Lane, Augusta

Or

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 237 073 200 24

Passcode: 7WYgJc

Or call in (audio only)

[+1 207-209-4724,,574710080#](tel:+12072094724574710080)

Phone Conference ID: 574 710 080#

AGENDA

1. Introductions of Board and Staff
2. Update on 2023 Pesticide Product Registration Renewal Progress

At the February 24, 2022, meeting, the staff provided an update on progress made toward the annual renewal of pesticide product registrations. Since that meeting, staff have further modified the MEPERLS software to accommodate registrant requests for functionality. Those modifications were available to registrants beginning March 3, 2023. To support use of the new functionality, staff have permitted an additional three-week registration extension which is scheduled to end on March 21, 2023. At this time, many products, including numerous pesticides commonly used in agriculture and vegetation management remain unrenewed. Staff have been fielding inquiries from manufacturers, distributors, agricultural producers, golf course superintendents, vegetation management professionals, special interest groups, commodity groups, legislators and others regarding the status of product registration. Staff will now provide an update on additional progress made toward registration renewal, outstanding issues, and possible pathways forward.

Presentation By: Megan Patterson, Director

Action Needed: Discuss and determine next steps

MEGAN PATTERSON, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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3. Legislative Response to the BPC Letter Regarding LD 2019 and Container Rulemaking

At the May 6, 2022, meeting, the Board first discussed LD 2019 and associated container rulemaking responsibilities. In a good-faith effort to complete this directive, the Board continued to engage in robust discussions of the topic at three additional meetings. At its October 21, 2022, meeting, the Board discussed issues of federal preemption challenges and directed staff to compose a letter to the Legislature's Committee on Agriculture, Conservation and Forestry (ACF Committee) seeking additional guidance. In November 2022, Board staff met with the bill sponsor and now ACF Committee chair to explain the forthcoming letter and the Board's efforts to date. Following receipt of the BPC letter, the Board's legal counsel was invited to speak with the ACF Committee. The Board has now received a response and directive from the ACF Committee.

Presentation By: Megan Patterson, Director

Action Needed: Discuss and determine the next steps

4. Review and Discussion of Potential Rulemaking Topics

At its January 11, 2023, meeting, the Board expressed interest in initiating rulemaking to incorporate existing Board policy and other potential rulemaking topics. At the February 24, 2023, meeting, staff provided a list of rulemaking ideas identified by Board members and staff. Since rulemaking is expensive and time-consuming, the Board generally tries to group rulemaking initiatives. The staff will present a summary of the February discussion and a timetable of possible hearing dates for Board consideration.

Presentation By: Karla Boyd, Policy and Regulations Specialist

Action Needed: Determine how to approach rulemaking and possibly schedule a hearing

5. Other Old and New Business

a. Other items?

6. Schedule of Future Meetings

April 7, 2023, is the next tentative Board meeting date. The Board will decide whether to change and/or add dates.

The Board will also decide if future meetings will be remote, in-person or hybrid.

Adjustments and/or Additional Dates?

7. 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.