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**Somerset Associates  
P. O. Box 336  
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Members of the Maine Board of Pesticides Control  
Department of Agriculture, Conservation and Forestry  
22 State House Station  
Augusta, Me. 04333

Dear Members;



Having served on the Joint Standing Committee on Agriculture from the 116<sup>th</sup> Legislature to the 120<sup>th</sup> and having read the letter from Mr. Schlein and from MOFGA, NRCM, and Friends of Casco Bay I find much to be encouraged about. I don't think anyone would disagree that it is in the best interest of the environment and the citizens of Maine to promote, support, and practice integrated pest management. It has become clear that we need to do a better job of educating commercial applicators and the private consumer. They need to know how to identify the pest and test the soil for nutrients and they need to have the tools to calculate, calibrate and target the treated area with the proper level of application whether they are using organic or synthetic materials, pesticides or fertilizer. The general public needs to know that pesticides approved for organic use are toxic and do kill and in many cases the amount of material used exceeds that of a synthetic material.

I certainly agree with Mr. Quaday's statement: "The Board of Pesticides Control is the only government entity in Maine that can address this issue. Your leadership is essential and is in the best interest of Maine citizens." I also agree with NRCM in that MRSA Title 22 section 1471-X does make it a policy to find ways to use the minimum amount of pesticides necessary to effectively control targeted pests. I do, however, find it interesting that they are espousing "local control" and ignoring the statute that states the purpose of the Board of Pesticides Control and I would suggest that we take a close look at section 1471-A---"it is the declared policy of the State of Maine to regulate the sale and application of chemical insecticides, fungicides, herbicides and other chemical pesticides." Note that the statute does not mention Ogunquit or So. Portland or even Portland.


And finally, I was shocked in seeing that the Department Dicapped the budget by nearly \$250,000. This has not ever been done in past administrations. Together with the \$135K that goes to Cooperative extension IPM programs these dollars would go a long ways toward educating the public and promoting integrated pest management. I would also point out that the Department of Agriculture, Conservation and Forestry is currently way understaffed and programs such as Harness Racing Commission, Animal Welfare, dairy industry support and other policy areas are cannibalizing the Board's resources both human and financial.

Regards  
Robert J. Tardy








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§1466

## Title 22: HEALTH AND WELFARE

§1471-B

### Subtitle 2: HEALTH

#### Part 3: PUBLIC HEALTH HEADING: PL 1989, C. 487, §11 (RPR)

#### Chapter 258-A: BOARD OF PESTICIDES CONTROL

#### §1471-A. Purpose and policy

For the purpose of assuring to the public the benefits to be derived from the safe, scientific and proper use of chemical pesticides while safeguarding the public health, safety and welfare, and for the further purpose of protecting natural resources of the State, it is declared to be the policy of the State of Maine to regulate the sale and application of chemical insecticides, fungicides, herbicides and other chemical pesticides. [2011, c. 510, §2 (AMD).]

#### SECTION HISTORY

1975, c. 397, §2 (NEW). 1983, c. 542, §§1,3 (AMD). 2011, c. 510, §2 (AMD).

*Data for this page extracted on 01/05/2015 12:10:19.*

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# Maine Revised Statutes


§1471-W


## Title 22: HEALTH AND WELFARE


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### Subtitle 2: HEALTH

### Part 3: PUBLIC HEALTH HEADING: PL 1989, C. 487, §11 (RPR)

### Chapter 258-A: BOARD OF PESTICIDES CONTROL

#### §1471-X. State policy; public and private initiatives to minimize reliance on pesticides

It is the policy of the State to work to find ways to use the minimum amount of pesticides needed to effectively control targeted pests in all areas of application. The agencies of the State involved in the regulation or use of pesticides shall promote the principles and the implementation of integrated pest management and other science-based technology to minimize reliance on pesticides while recognizing that outbreaks of disease, insects and other pests will necessitate fluctuations in pesticide use. These agencies, in cooperation with private interest groups, shall work to educate pesticide users and the general public in the proper use of pesticides and to determine other actions needed to accomplish the state policy. [1997, c. 389, §2 (NEW).]

#### SECTION HISTORY

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**BOARD OF PESTICIDES CONTROL**  
**HENRY JENNINGS, DIRECTOR**

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*Reference: Policy Area:* 04 *Umbrella:* 01 *Unit:* 026 *Citation:* T0022 *M.R.S.A., Sect.:* 000001471B

*Average Counts-All Positions:* 20.680 *Legislative Count:* 16.00

**PURPOSE:**

The Board of Pesticides Control was established to ensure that the public has access to the benefits of pesticide use while protecting the public and environmental health. The primary responsibilities of the Board are to: (a) register and evaluate all pesticide products to be sold and used in Maine, (b) examine and license all persons involved in the commercial application of pesticides, and certain pesticide distributors and agricultural producers who use pesticides, (c) promulgate appropriate regulations regarding pesticide distribution and use, (d) investigate complaints arising from the use of pest-control chemicals, (e) ensure compliance with state and federal pesticide laws, (f) cooperate with other agencies in environmental monitoring and protection, and (g) promote the principles and the implementation of integrated pest management and other science-based technology to minimize reliance on pesticides.

**ORGANIZATION:**

The Board of Pesticides Control was established in 1965, funded in 1969, staffed with a supervisor and secretary in 1970, and in 1973 placed within the Department of Agriculture. In 1981, the Legislature transferred to the Board all the authority of the Commissioner of Agriculture to register pesticides. The original Board was composed of the commissioners of eight state agencies, but in 1980, the Legislature reconstituted the Board to comprise seven public members appointed by the Governor for four-year terms.

Qualifications for Board members, as prescribed by statute, are: three persons must be knowledgeable about pesticide use in agriculture, forestry and commercial application; one person must have a medical background; one person must be a University of Maine scientist with expertise in pest management; and the remaining two members must represent the public and come from different geographic areas of the state.

The Board annually elects a chairman from its membership and employs personnel as necessary. Current professional staff includes a Director, Manager of Compliance, Manager of Pesticide Programs, Toxicologist, Pesticides Registrar/Water Quality Specialist, Public Education Specialist, Pesticide Safety Educator and one year-round and four seasonal Pesticide Inspectors. Overall, the Director provides supervision of the staff.

**PROGRAM:**

**Product Registration:** All pesticides distributed in the state must be registered with the Board. A label and material safety data sheet are maintained for each product, and health and environmental study data is reviewed as needed. Registration fees fund normal Board operating costs, as well as the State Horticulture Program, the department's Integrated Pest Management (IPM) Program, the State Apiarist, an annual collection of obsolete pesticides, and a grant to the University of Maine Cooperative Extension for development of pesticide applicator training manuals.

**Certification and Licensing:** The Board administers a certification and licensing program to ensure that those using or distributing pesticides are competent and properly trained. The program, supported by federal grants, pesticide registration revenue, and licensing fees, includes providing training materials and information, administering exams, and working closely with Cooperative Extension to provide continuing education options.

**Compliance:** The Board, through its inspectors, monitors the sale and application of pesticides, investigates complaints of misuse, and enforces applicable laws as appropriate.

DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY(FR AGR)

Public and Environmental Health: These programs are designed to protect citizens' health and safety, in addition to the state's natural and agricultural resources, by ensuring that pesticides are properly used. Programs include administration of the federal Workers Protection Standard, where the Board provides training to agricultural workers and pesticide handlers, and the Obsolete Pesticide Program, where the Board works with the Department of Environmental Protection (DEP) to collect unusable pesticides from farmers and homeowners. The Board also monitors ground and surface water, to provide data about pesticide impacts on the state's water resources. The Board's toxicologist reviews pesticides that pose special concerns in Maine. The Pesticide Container Recycling Program helps to ensure that pesticide containers are recycled or disposed of properly.

Outreach and Education: The Board is committed to educating the general public on the risks of pesticide use, as well as reasons why pesticides are used in various industries, including agriculture and forestry. Central to the Board's outreach is promotion of the state policy to minimize reliance on pesticides. Information is distributed via the Board's extensive websites at [www.thinkfirstspraylast.org](http://www.thinkfirstspraylast.org), plus newsletters, press releases and occasional newspaper ads. The staff also makes presentations at public meetings and trade shows and conducts collaborative outreach programs with other state agencies and non-profit organizations.

**LICENSES:**

- Agricultural Basic Applicators
- Commercial Pesticide Applicators
- Restricted Use Pesticide Dealers
- General Use Pesticide Dealers
- Private Pesticide Applicators
- Government Pesticide Supervisors
- Monitors/Spotters
- Spray Contracting Firms

**CERTIFICATES:**

- Certification to Purchase Bt Corn
- Pesticide Handler
- Agricultural Worker

**PERMITS:**

- Limited Use Pesticide
- Variance from Drift Standards
- Variance from Surface Water Setback

**PUBLICATIONS:**

Numerous publications, on all matters relating to pesticides, can be found on the Board's website at [www.thinkfirstspraylast.org](http://www.thinkfirstspraylast.org).

**FINANCES, FISCAL YEAR 2013:** The expenditure information for this unit was generated from the Budget and Financial Management System (BFMS).

BOARD OF PESTICIDES CONTROL	TOTAL	SPECIAL		HIGHWAY	FEDERAL	MISC
	FOR	GENERAL	REVENUE			
EXPENDITURES	ALL	FUND	FUNDS	FUND	FUNDS	FUNDS
SALARIES & WAGES	849,474		742,082		107,392	
HEALTH BENEFITS	283,090		247,834		35,256	
RETIREMENTS	118,966		103,882		15,084	
OTHER FRINGE BENEFITS	15,371		12,921		2,450	
CONTRACTUAL SERVICES	77,253		62,140		15,113	
RENTS	30,335		15,306		15,029	
COMMODITIES	6,624		6,597		27	
GRANTS, SUBSIDIES, PENSIONS	3,500		3,500			
TRANSFER TO OTHER FUNDS	21,152		18,237		2,915	
<b>TOTAL EXPENDITURES</b>	<b>1,405,765</b>		<b>1,212,499</b>		<b>193,266</b>	