



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

January 15, 2025

1:00-2:00 PM Board Meeting—Hybrid
2:00-3:00 PM Public Forum
3:00-4:00 PM Board Meeting Continued as Necessary

Join the meeting remotely in the Kennebec/Penobscot Room at the Augusta Civic Center,
76 Community Dr. Augusta

Or

Join on your computer, mobile app or room device

[Join the meeting now](#)

Meeting ID: 245 679 834 764

Passcode: 2uY37tE2

Dial in by phone

[+1 207-209-4724](tel:+12072094724).,596432756# United States, Portland

[Find a local number](#)

Phone conference ID: 596 432 756#

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



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3. Service Container Labeling Policy

At the October 25, 2024, and December 6, 2024, meetings, staff proposed a policy regarding labeling of service and secondary containers for pesticides. Upon taking into consideration the feedback during the discussion at the meeting, the staff has revised the proposed policy.

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

4. BPC Informational Videos

In 2023, BPC staff employed the services of Stobo Films of Portland, Maine to create several short informational videos for the public and the regulated community to understand BPC operations and responsibilities better. These videos are now available on the BPC website.

Presentations By: Karla Boyd, Policy & Regulations Specialist
Action Needed: Review/discuss provided information

5. Complaint Overview for CY 2024

Historically the Board has been updated on complaints and inquiries received by staff. This update provides a general overview of the complaint and inquiry topics with general descriptions in the calendar year of 2024.

Presentations By: Alex Peacock, Manager of Compliance
Action Needed: Review/Discuss

6. Other Old and New Business

- a. EPA Releases Draft Biological Opinion for Carbaryl for Public Comment
- b. EPA Finalizes Settlement and Announces New Tracking Website for Endocrine Disruptor Screening Program Data Call-In Notices
- c. Overview of 2024 Obsolete Pesticide Collection
- d. Overview of 2025 pesticide product registration renewal progress
- e. EPA Announces Interim Decisions on Chlorothalonil, Thiophanate-methyl, and Carbendazim

7. Schedule of Future Meetings

The next scheduled Board meeting date is Friday, February 28, 2025, at the Deering Building, Room 101, Augusta

Future Meetings: April 11, 2025, May 23, 2025, July 11, 2025

Adjustments and/or Additional Dates?

8. 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.



Improving the health status of Maine's seasonal workers and their families by providing culturally appropriate care and services.

January 8, 2025

Alexander R. Peacock
Maine Board of Pesticides Control
28 State House Station
Augusta, ME 04333-0028

Dear Mr. Peacock,

I am contacting you on behalf of the Maine Mobile Health Program (MMHP) with a request for support from the Maine Board of Pesticides Control for a continued effort to deliver EPA Worker Protection Standard (WPS) education to Maine's farmworkers during the 2025 harvest season.

Throughout the 2024 season, the Maine Mobile Health Program worked to provide the Worker Protection Standard (PST) training to farmworkers across the state. The program trained a currently employed community health worker and recruited a new trainer who was bilingual with the capacity to speak in Spanish and English. Highlights from the season include collaboration with another MMHP staff member to offer training in Haitian Creole and active engagement between our trainers and workers on the topic. Similar to previous seasons, we experienced several difficulties that limited the number of workers we could support. One of our long-standing partner farms sold their operations this past year so we were not able to train their workers. We hope to reconnect with that crew in 2025. Another farm continues to hire fewer blueberry rakers each season as they increase their use of mechanized harvesting. The challenging labor market also made it difficult for us to hire a second trainer early in the season. Despite the challenges, our PST trainers were able to offer training on the WPS to 65 farmworkers across Maine in addition to curricula from the Association of Farmworker Opportunity Programs (AFOP) on occupational safety.

For 2025, we plan to implement several new strategies to increase our impact and ability to train more farmworkers. While recruiting a new summer trainer, we will train several current staff to offset concerns about the challenging labor market. MMHP is also increasingly interested in promoting heat safety and looking for ways to pair that with pesticide safety trainings and other occupational safety trainings. We received a grant from Farmworker Justice and OSHA to offer heat stress trainings and intend to implement an outreach plan promoting trainings on both topics.



Improving the health status of Maine's seasonal workers and their families by providing culturally appropriate care and services.

The Association of Farmworker Opportunity Programs awarded \$480 to MMHP in support of on-going WPS training for 120 workers in 2025. MMHP plans to use these funds to support the staff time for multilingual WPS and occupational health trainings to farmworkers across the state. AFOP may provide additional funding if we exceed our initial training goals. We request from the Maine Board of Pesticides Control a contribution of \$6,432 which we would leverage with the funds from AFOP. The funding from the Board of Pesticides Control will be used to support the staff positions who provides WPS trainings; including both the hourly wage and the travel and lodging required to reach farmworkers, growers and partners, and the overhead of managing the grant and project. We request that the funding be made directly to MMHP.

We thank the Board for its past support and for considering this current proposal. To connect with us about this request or our activities, please contact me at hmillers@mainemobile.org or 207-441-1633.

All the best,

Hannah A Miller

Hannah Miller
Director of Outreach
Maine Mobile Health Program



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JANET T. MILLS
 GOVERNOR

AMANDA E. BEAL
 COMMISSIONER

Memorandum

To: Board of Pesticides Control
 From: Alexander Peacock, Director
 Subject: Secondary & Service Containers for Pesticides

January 15, 2025

Background:

It is not uncommon for pesticide applicators to purchase pesticide concentrates in bulk containers. These concentrates are then transferred to a smaller service (breakdown) container for use during mixing and loading procedures as needed in the field. Pesticide concentrates are also often pre-mixed at a company's headquarters into end-use dilutions in accordance with the label. These end-use dilutions are often stored in a secondary container for use in the field. BPC inspection Staff have observed unlabeled service & secondary containers in the field during the inspection and have raised concerns over possible harm to human health and/or the environment if these containers are not handled appropriately.

Draft Policy:

Board of Pesticides Control (BPC) Policy for Labeling Service Containers

Definitions:

Service Container: A container used to store undiluted pesticide concentrates that is not the original container in which the pesticide concentrate was distributed.

Secondary Container: A container used to mix pesticide concentrates into end-use solutions following the pesticide label and typically used by the end-user to make the pesticide application.

Although the BPC does not require labels on secondary and service containers, the Department of Transportation (DOT) and Occupational Safety and Health Administration (OSHA)

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requirements may apply. BPC recommends that the applicator identify the material in the **service container** in the event of a spill to ensure that adequate information regarding the pesticide can be obtained in case of medical or environmental emergency. BPC recommends that such labels include the following information:

- Product name.
- EPA registration number.

It is a good management practice to ensure that the label for the pesticide product that has been put into a **service container** is available to any person transporting, handling and/or applying the pesticide.

Conclusions:

Often another employee/operator may use a vehicle or equipment that has a pesticide stored on it that the employee/operator did not add themselves. If these containers are properly labeled, a new user will be aware of the materials on board and be able to reference the label for proper PPE and actions to take in the event of a spill or other incident. Since pesticide concentrates pose a greater risk than diluted end-use pesticides, a policy to label service containers will help prevent undue harm to human health and the environment by allowing for proper identification of the product. This policy will also aid in compliance with Chapter 20: Special Provisions and Title 7 § 606, as seen below.

Chapter 20: SPECIAL PROVISIONS

Section 3. Pesticide Storage and Disposal

- A. Unused pesticides, whether in sealed or open containers, must be kept in a secure enclosure and otherwise maintained so as to prevent unauthorized use, mishandling or loss; and so as to prevent contamination of the environment and risk to public health.

Title 7: AGRICULTURE AND ANIMALS

Part 2: MARKETING, GRADING AND LABELING

Chapter 103: PRODUCTS CONTROLLED

Subchapter 2-A: MAINE PESTICIDE CONTROL ACT OF 1975

§606. Prohibited acts

2. Unlawful alteration, misuse, divulging of formulas, transportation, disposal and noncompliance. A person may not:

- D. Handle, transport, store, display or distribute pesticides in such a manner as to endanger human beings or their environment or to endanger food, feed or any other products that may be transported, stored, displayed or distributed with such pesticides; [PL 2005, c. 620, §5 (AMD).]

BPC video descriptions – for DACF YT channel & playlist

Ep1: Introduction to the Maine Board of Pesticides Control

Description: The Board of Pesticides Control is the state-led agency responsible for the registration, enforcement, and licensing of pesticides and pesticide applicators. Watch the video to learn more about who BPC is and what they do.

For more information, visit BPC's website: <https://www.maine.gov/dacf/php/pesticides/>

Ep 2: Integrated Pest Management

Description: Integrated Pest Management (IPM) is an environmentally sound approach to managing pests such as insects, weeds, plant pathogens, and wildlife on farms and forests, in our communities, and in our homes. IPM relies on proper pest identification, monitoring, and combinations of pest avoidance and management strategies to protect people, crops, and the environment while minimizing reliance on pesticides. Watch the video to learn more about IPM and how you can use it.

For more information, visit BPC's website: <https://www.maine.gov/dacf/php/pesticides/>

Ep 3: Labelling

Description: Pesticide labels are the law! A pesticide label is considered a federal document that MUST be followed to ensure that pesticides are used properly. Labels have a lot of important information that you need to know about related to use, health, safety, and disposal. Watch the video to learn more about what pesticide labels mean and how you can use them!

For more information, visit BPC's website: <https://www.maine.gov/dacf/php/pesticides/>

Ep 4: Your Rights and Responsibilities

Description: You have the right to know how pesticides might affect you. Watch the video to learn more about your rights and responsibilities as someone that may use pesticides.

For more information, visit BPC's website: <https://www.maine.gov/dacf/php/pesticides/>

Ep 5: Regulatory Requirements for Professionals

Description: Pesticide applicators must be licensed to professionally apply pesticides in and around your home. Professionals applying to their own property also have responsibilities under Maine law. Watch the video to learn more about professional pesticide applicators and their requirements to be licensed in Maine.

For more information, visit BPC's website: <https://www.maine.gov/dacf/php/pesticides/>

Complaint Overview CY 2024

Topic	Complaint Details
Drift	Call received 5/6/2024. Caller observed a powered spray application on Saturday, May 4, 2024 at approximately 11:37AM. Caller stated the wind was blowing directly towards their property and observed drift and could taste chemicals and immediately went inside.
Drift	Email received 5/23/2024. Homeowner is concerned that pesticide drifted onto their property during a mosquito control application at the neighbors house on 5/23/2024. The homeowner also believes to have been exposed to the pesticide through drift during an application at the same property on 5/2/2024. Homeowner experienced burning sensation in their throat on 5/2/2024. Homeowner is also concerned about safety of food grown in their garden if exposed to the pesticides.
Drift	Call received Tuesday, May 28, 2024. Caller witnessed a boom spray application to a field adjacent to their property on Monday, May 27, 2024 at approx. 930a. Caller stated wind was blowing nearly 20 mph and witnessed drift of the material onto their property, including a white coating on their animal trailer. Caller pastures cows in the area where the drift was witnessed and is concerned that the pasture and round hay bale recently put in pasture were impacted by spray.
Drift	Caller reports that he believes drift is coming from the property next door. There are hayfields next to his property. caller gets sick to his stomach and has headaches after the fields are sprayed. He also states that his well is contaminated from the spraying.
Drift	Caller woke up to a very strong chemical smell. She also noticed a white powdery material around her home.
Drift	Call received 7/5/2024. Caller believes drift occurred onto their property from mosquito/tick control pesticide application at neighboring property on 7/5/2024. Caller stated that they and experienced burning eyes, lips and throat as a result of the application.
Drift	Call received 7/17/2024. Caller stated that a plane flew directly over their house today and made a pesticide application to an adjacent potato field. Caller is concerned that pesticide drifted onto their property and their children's play set due to the close proximity of the application and that the plane was making turns directly over their home.
Drift	Call received 8/12/2024. Caller stated that a tick/mosquito application occurred at a neighboring property at about 245p on 8/12/2024. Caller stated that the spray was observed to have been directed at the property line and drifted across the property line onto their property and that there vegetable garden is within 50 feet of the property line where the drift/off-target deposition occurred.
Drift	Caller's neighbor has company fog their property for ticks and mosquitoes. The mist drifts onto her property.
Drift	Call received 9/13/2024. At approximately 330p on 9/13/2024 caller witnessed a foggy mist drift onto the property. Caller witnessed an applicator conducting a backpack spray at a neighboring property. Caller asked the applicator what was being sprayed and the applicator provided a label for Talstar P Insecticide.
Human Exposure / Health Effects	Hotel located in Lewiston, has an outbreak of cockroaches. DHHS referral for possible unlicensed pesticide applications in the hotel.
Human Exposure / Health Effects	Call referred from EPA Region 1 via email on 3/14/2024. Caller is concerned about high rates of cancer in the vicinity of their home. Caller is concerned that Round-Up is used at a nearby strawberry farm.
Human Exposure / Health Effects	Call received 4/10/2024. Caller is concerned that tenants at an apartment building in Orono are experiencing symptoms from exposure to mothballs. Landlord of building used mothballs in the attic to repel squirrels from entering the building. Tenants started noticing mothball odors on April 1, 2024. Symptoms include headache, nausea and nosebleeds.
Human Exposure / Health Effects	Call received 6/3/2024. Caller is concerned that a neighbor is spraying pesticides into the roadway. Caller states than when they pass by this location they are exposed to the chemicals and suffer adverse health effects.
Human Exposure / Health Effects	Applicators on golf carts were spraying herbicides on the right of way and on sidewalks near Hannaford. The applicator(s) were spraying near people and were not wearing PPE. The ground is also wet after last night's rain. The incident was around 10:30 AM on June 25, 2024.
Human Exposure / Health Effects	Crew was spraying on a ROW in the rain and near a brook.
Human Exposure / Health Effects	ROW spraying
Human Exposure / Health Effects	Tenant is a property owner occupied duplex alleges outdoor application of mothballs by the landlord to deter wildlife (rats).
Laws/Policies	Caller was recently employed as a licensed applicator. Caller is concerned about some practices employed by the company including indoor insecticide applications to baseboards of hotel rooms documented as crack and crevice applications. Caller has witnessed mixing and loading activities being conducted inside kitchens of restaurants being serviced. Pesticide applications being made by applicators with expired licenses.
Laws/Policies	Caller is an attorney in Portland looking for an expert witness regarding pesticides on produce.
Laws/Policies	Caller is looking for information about their rights and responsibilities regarding structural pest control pesticide applications at their residence and in their unit.
Laws/Policies	Call received 3/7/2024. Caller is concerned about pest management activities occurring at their apartment building and in their apartment related to cockroaches. Caller does not believe the pesticide application company under contract is offering proper follow up and monitoring of the infestation. Caller does not feel they are being provided the answers or information regarding their questions posed to the application company.
Laws/Policies	Caller was concerned about pesticide application conducted during wind speeds of 15-20 mph they observed on 4/23/2024. Call received 4/23/2024.
Laws/Policies	Call received 10/8/2024. Caller was concerned about lawn care pesticide application occurring at a preschool during business hours and whether or not that was allowable.
License Issue	Call received 3/15/2024. Caller is concerned that company originally contracted for mold and mildew remediation was not properly licensed to apply pesticides.
License Issue	Call received 2/2/2024. Caller is dissatisfied with company that they contracted with for control of mice infestation. Caller believes infestation got worse after technician serviced home and believe they must not be licensed applicators.
License Issue	Call received on 2/22/2024. Caller is concerned about unlicensed applications of pesticides at hotel in Lewiston and failure to use integrated pest management. Site has a cockroach infestation and is being closed for an imminent health hazard.
License Issue	Call received on 2/28/2024. Caller is concerned that the first company hired for mold and mildew remediation at their home was not properly licensed. Caller stated that after the air quality testing continued to fail after remediation work was conducted they hired a different company that informed them about the licensing requirements.
License Issue	Received May 1, 2024. Company CMA license expired 12/31/2023. Company only licensed for 7E(biting fly). Company website advertises brown tail moth control.
License Issue	Email received 5/11/2024. Email raises concern that the company and applicator are not licensed to perform pesticide applications. Proper posting of the application site was not witnessed by caller.
License Issue	Call received 7/11/2024. Caller is concerned about right-of-way herbicide application near their property. Caller is concerned that an area of standing water they use for garden irrigation was impacted. Caller was also concerned that applicators may not have had adequate training to conduct the application.
License Issue	Email received 7/11/2024. Email states that the company is making unlicensed pesticide applications for tree and shrub care.
License Issue	Caller believes this company is not properly licensed to conduct commercial tick and brown tail moth control.
License Issue	Referral from ME CDC Health Inspection Program (HIP) on 8/6/2024. HIP issued an Imminent Health Hazard to restaurant on 7/25/2024 for rodent infestation. Inspection team observed rodent bait and liquid insecticide in kitchen being used by restaurant employees.
License Issue	Call received 9/12/2024. Caller is a manager at a pest control company and was self-reporting the discovery of unlicensed applicators at the business. There were 4 applicators that had passed exams and were certified but did not have active applicator licenses for several applications. Upon the discovery the manager immediately contacted the BPC and renewed and purchased licenses for the 4 individuals. Manager stated they discovered a flaw in their internal employee database that has been corrected to prevent this issue in the future.
License Issue	Email received 9/20/2024. Restaurant was closed for imminent health hazard. Health inspection discovered pesticides in the restaurant being used by restaurant employees to mitigate cockroaches.
Non-Target Effects	Email received on 2/28/2024 raises concern about the migration of the herbicide tebuthiuron from properties at 1 and 3 Metcalf Rd. in Camden onto town property at Laite Memorial Beach and Park.

Non-Target Effects	Received 5/1/2024. Caller is concerned about witnessing a pesticide application during rainy conditions on 5/1/2024. Caller is concerned about runoff of pesticide to surface waters and groundwater contamination.
Non-Target Effects	Call received 6/3/2024. Caller is concerned about pesticide application being made in high winds on 6/3/2024. Caller raises butterflies and honeybees and thought the application was carelessly made given the surroundings.
Non-Target Effects	Call received 7/16/2024. Caller stated that a worker on their property witnessed a roadside spray application that may have extended beyond the right-of-way and into the the property. Caller is concerned that blueberries in front of the property may have been impacted. Caller stated application truck was heading north towards Steuben.
Non-Target Effects	Call received 7/31/2024. Caller is reporting a possible incident that occurred during a ROW in Alna on 7/30/2024. A contractor performing ROW herbicide application is accused over over-spraying onto a private lawn.
Non-Target Effects	Call received 8/16/2024. Caller has a wasp/yellow jacket problem at their unit. The company was hired to mitigate the problem. Caller expected to see a crack & crevice treatment in the location where the wasps emerge. Caller witnessed a heavy spray that dripped down windows, blanketed the flower garden and was visible on a basketball. Caller believes there was an over application and their organic garden was impacted.
Non-Target Effects	Caller was notified by their neighbor that he was putting down bait to kill the numerous rats on the property. The neighbor warned caller to keep her dogs off his property. Caller is concerned about the health effects as well as the sick rodents moving onto her property.
Notification / Posting	Call received 5/7/2024. Caller is member of 2024 Pesticide Notification Registry and was not notified prior to pesticide application that occurred about 1130am on 5/7/2024 at a neighboring property.
Notification / Posting	Email received 5/15/2024. Email is from member of the 2024 Pesticide Notification Registry. Registrant received phone call from company alerting that an application would be occurring today (5/15/2024). Registrant received this call as the application was being made at 1030a on 5/15/2024
Notification / Posting	Email received 7/18/2024. Email states that their landlord is not providing proper notice prior to pesticide applications being made on their rental property as requested.
Notification / Posting	Email received 9/4/2024. Caller is member of the 2024 Pesticide Notification registry. Caller was not notified prior to pesticide application at abutting property on 9/4/2024.
Other	Caller owns a structural pest company. They are reporting an incident with a client that was concerned about rodenticide use. Rodenticide had been used in locked bait boxes. Caller removed all rodenticide from the property.
Other	The caller explains that she hired an application company to treat for small biting or stinging insects inside her home. She states that the applicator was unable to make a positive identification of the pest, but reluctantly made an initial application on or about October 26th 2024 and a secondary application (2 weeks later). The applicator has since refused to treat the home without an identification of the pest.
Pollinators	State Apiarist asked inspection staff to assist with bee kill investigation which may have resulted from pesticides. Email received 7/29/2024.
Pollinators	Call received 8/7/2024. Caller is concerned that their honeybees are not leaving the hives and feeding on honey reserves rather than foraging. Caller is concerned it may be a result of pesticide applications in adjacent alfalfa field.
Retailer	Received 5/30/2024. Restaurant in Stonington was closed due to an IHH following January flood. Maine CDC would like information on applications made at the restaurant to determine proper application.
Spill / Discharge	Call received 3/22/2024. Caller observed rodent bait scattered at an intersection in Belgrade. Caller believes the bait may have fallen out of the back of a moving vehicle. Caller notified the town of Belgrade and was told that the town would have it cleaned up. Caller was concerned about potential exposure to wildlife and pets.
Spill / Discharge	Emails received 5/17 and 6/3/2024 Caller witnessed golf course employee emptying contents of sprayer onto ground behind the garage at the golf course on May 16, 2024. On June 3, 2024, caller witnessed same employee dumping contents of sprayer down the culvert by the 15th hole. Caller is concerned about water contamination from dumping of pesticides.
Storage / Disposal	Maine DEP staff was checking on potato dumps in Aroostook County and discovered a truck load of empty pesticide containers dumped on top of a potato dump site.
Storage / Disposal	Call received 8/5/2024. Caller stated that full bottles of pesticide concentrate are being disposed of in dumpster. Caller also states that applicators are incorporating rodent bait into insulation installation.
Unauthorized Application	Received 5/16/2024. Caller stated that a client thought they should know that Mosquito Squad of Southern Maine had sprayed their property a couple weeks ago. Caller stated that client is only under contract with them for tick and mosquito control services.
Unauthorized Application	Call received 5/22/2024. Caller witnessed spray application occurring at their property at about 930a on 5/22/2024. Caller has not contracted any pesticide applications for their property. Caller stated they have not seen any posting or placards and the company refuses to tell them what was applied.
Unauthorized Application	Call received 6/12/2024. When caller arrived at home on Friday, June 7, 2024 they found an invoice/service record for a tick/mosquito control application conducted at their property. The caller does not contract any company for tick and mosquito control. Caller stated that neighbors confirmed seeing people with backpack sprayers on the property.
Unauthorized Application	Call received 6/13/2024. Caller witnessed a pesticide application occurring at their property on 9/13/2024 at around 8:15am. The caller does not contract with any pesticide application companies. Applicator's truck has no markings or advertisements and the placard placed did not have any information on it. See attached photos.
Unauthorized Application	Call received 6/21/2024. Caller returned home to find what appears to be herbicide damage on their property. Likely associated with an application to control Japanese knotweed at an abutting property. Caller states that crabapples, birch and other vegetation on the property is brown and wilting.
Unauthorized Application	Call received 9/23/2024. Caller is concerned a Landowner is making unauthorized rodenticide treatments in a tenant's occupied space.
Unauthorized Application	Call received 8/13/2024. Caller is self-reporting a spray incident. Caller reported that the ROW spray crew applied to a section of roadway that was not under their contract.
Unauthorized Application	Caller went to his farm on Thursday, August 15, and found his seedlings showing damage and suspects herbicides were applied.
Unauthorized Application	DHHS notified BPC of an unauthorized application within a hospitality facility.
Unauthorized Application	Caller reports that her property was treated by a lawn care company on 10/30/24 without authorization. The caller reports that she contracts with a different company and that she has had a near miss with the company in the past, approximately a year ago. She also reports that it appears this application was nitrogen fertilizer, but that the last time it was pesticide spray for mosquitos. She reports that the company contracts with a different individual whose address is identical but in a different town.
Use Inconsistent with the Label	Emails received 5/25 & 5/26/2024. Caller states that neighbor applied mothballs outdoors and into public way to prevent dogs from entering the property. Caller stated that their dog ate a mothball and fell ill. The local police department responded over the weekend and had the individual clean up all mothballs in the public way. Caller is still concerned about mothballs in the individuals lawn and landscape that may move into the public way.
Use Inconsistent with the Label	Call received 6/26/2024. Caller is concerned that a mosquito and tick control application they witnessed was conducted during high winds. Caller also observed rain shortly after the application.
Use Inconsistent with the Label	Call received 7/30/2024. Caller witnessed a pesticide spray application occurring during rainy conditions this morning.
Use Inconsistent with the Label	Call received 8/19/2024. Caller is concerned about the neighbor's use of mothballs outdoors.
Use Inconsistent with the Label	Call received on 9/12/2024. Caller was walking their dog on 9/10/2024 when they witnessed the dog eat blue rodent bait off the ground. Caller stated that the bait was around a pickup truck on the ground and fully exposed. Caller took dog to emergency veterinary services. Caller is concerned that this is an inappropriate use of rodent baits and that this type of use may continue at the location where the incident occurred and be hazardous to children, pets and wildlife.
Use Inconsistent with the Label	Call received 9/26/2024. Caller is concerned about the use of moth balls outdoors around a neighbor's garage. Caller states that the odor from the mothballs is very strong.

Use Inconsistent with the Label	Call received 10/3/2024. Caller recently purchased the property and believe they have found evidence of bedbugs. Caller is aware that the premises had been treated for bedbugs previously. Caller would like to know what types of bedbug management activities had occurred and could not get information from the company. Caller is concerned that pesticides may not have been applied properly to control the infestation.
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Complaints/Inquiries CY 2024

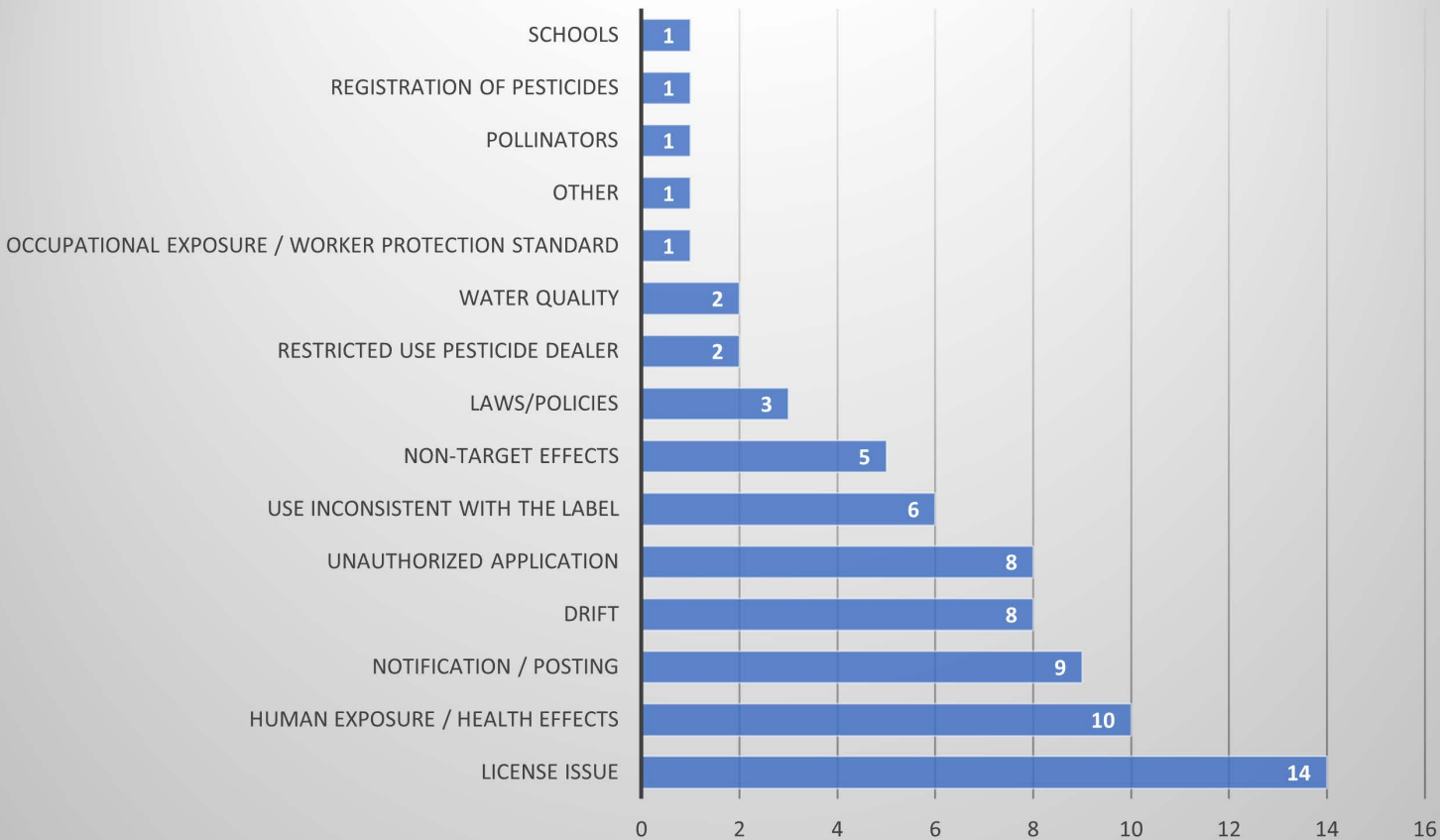


Complaint Overview CY 2023

Topic	Complaint Details
Drift	Caller states that they could smell and taste pesticides being applied to potato field across the street on the morning of July 10, 2023. The wind was blowing in the direction from field to their home. Concerned about chickens that may have been exposed and general off target deposition of pesticides.
Drift	Caller observed applicator spraying without regard to the property line. Caller stated that pesticide drifted onto their property and has likely contaminated their vegetable garden.
Drift	Caller witnessed an individual making a mosquito control application with tractor mounted spray equipment at neighboring property. Caller is concerned that the spray material drifted onto their organic vegetable garden.
Drift	Rebecca Gray was working in her gardens and watched a Tick & Mosquito Offense employee making tick applications with a powered backpack sprayer. According to Gray, she watched a cloud drift onto her property. Gray has both chickens and pigs. She confronted the applicator, who stopped spraying near her property. According to Gray, the wind was gusting at 16 to 23 mph.
Drift	Caller is an apiarist that maintains 18 seasonal bee yards each containing 32 hives in various locations across Hancock, Washington and Aroostook Counties. Approximately 2 weeks ago caller witnessed a boom sprayer operating in a potato field within 500 ft. of their bee yard in Fort Fairfield. Caller stated they felt the mist hit their face while standing in the bee yard. Caller believed winds were above 15 miles an hour and the application was being made without regard to the bees or presence of humans. Caller has experienced nearly 40% loss in bees this year and is concerned that poor pesticide use practices may be part of the issue.
Drift	Ms. Braddick called the BPC about an application from Mainely Grass that went onto her property. The property being treated is located at 21 Ocean View Drive, Kennebunk, Maine.
Drift	Caller is concerned about drift onto their property during a mosquito/tick spray application at a neighboring property on May 17, 2023. Caller was alarmed about dangers of the pesticide as the applicators was wearing a respirator.
Drift	Caller is concerned about drift of pesticide onto their property during an application made at the neighbor's property to control ticks and mosquitoes on 5/23/2023. Caller stated wind was blowing from neighbor's property towards their property. Caller believes pesticide drifted into their chicken coop and exposed chickens and eggs. Caller is experiencing symptoms of burning lips and tongue and severe headache.
Human Exposure / Health Effects	Caller believes they were exposed to herbicide while an application was being made to a corn field across Milo Rd. from their property on Saturday morning, July 1, 2023. Caller was mowing lawn when they when they could taste the chemical, then had a headache for about an hour.
Human Exposure / Health Effects	Caller is concerned that residents at 13 Evergreen Lane in Industry are applying pesticides multiple times a day, everyday. Caller believes these applications are causing adverse health effects to his family. See attachment.
Human Exposure / Health Effects	Caller is concerned that there is a bed bug infestation in their apartment unit and complex. They believe other tenants may be using pesticides and the fumes are entering their apartment overnight and in early morning hours causing nausea, dizziness and discoordination among other symptoms. After inspection of their unit concluded there was not a bed bug infestation (one bed bug casing found), they are still getting bitten.
Human Exposure / Health Effects	Caller is concerned that he and his dogs are being exposed to harmful pesticides when applications are made to an agricultural field adjacent to his property. Caller is concerned about spray activity within 10 feet the property line.
Human Exposure / Health Effects	Caller was concerned about pesticide application made at a neighboring property in Topsham. Caller is concerned about application made on a windy day and effects on the environment.
Human Exposure / Health Effects	Caller believes they have been exposed to pesticides from the neighbor's fire pit. Caller is concerned that the neighbor may be using old pesticide barrels as burn barrels and the smoke contains fumes that are chemical in nature and causing adverse health effects and inability to enjoy their property.
Human Exposure / Health Effects	Caller is concerned about possible pesticide use on medical marijuana.
Human Exposure / Health Effects	Caller is concerned about effects on human health and the environment following a brown tail moth application at a neighboring property. Caller described the use of a truck mounted mist blower.
Human Exposure / Health Effects	Caller expressed concern that an applicator for a tick control company wanted to apply pesticides for mosquito control at a property where an arborist crew was working. Caller is concerned that the applicator told the work crew that the product was safe and they didn't have anything to worry. The work crew which included licensed pesticide applicators requested information about the product to be applied. The applicator told them he was using bifenthrin and they were totally safe. No additional information was provided. Ultimately the application did not happen.
Human Exposure / Health Effects	Caller stated they experienced watery eyes and metallic taste following an application to an agricultural field that is adjacent to their property on 8/23/2023.
Laws/Policies	Email received on 12/22/2023 raises concern about herbicide applications being made to GMO corn for wildlife feedplots. Facebook states the individual is doing weed control on GMO corn for themselves and customers. Email questions if this practice is legal.
Laws/Policies	Caller has Bedbug infestation in their apartment. Caller moved into apartment on January 1, 2023. They notified the landlord on Friday, January 13, 2023. that there were bedbugs in their apartment. Caller reports the landlord claimed that an ozone generator was used to kill any organisms between tenants. Caller believes bedbugs migrated to their apartment from the apartment upstairs. Certified pest control company arrived on January 31, 2023 to begin mitigating the bedbug infestation.
Laws/Policies	Caller reports that their apartment complex is under new management. The new management company is requesting that all units be treated for bedbugs. Caller says they do not have bedbugs and do not want pesticides applied in their apartment. Caller is concerned that they will be evicted for not allowing their unit to be treated for bedbugs.
License Issue	Correspondence received indicates that a Lawn Service is making pesticide applications without proper licensing. Applicator may have an active license with another company.
License Issue	Caller witnessed a spray application to turf while an employee was mowing a lawn in Bangor. The lawn mower had a small tank with liquid that operate was using to spray broadleaf weeds. Operator did not have any PPE, shorts and t-shirt, no gloves while applying.
License Issue	Caller is concerned that a lawncare is operating without proper commercial applicator licensing while performing lawn care pesticide applications.
License Issue	Caller is concerned about a facebook post showing a man using a granular spreader to apply an organic tick control product to the public dog park in Standish. Caller believes the individual is not a licensed applicator.
License Issue	Store is offering pesticides for sale without a general use pesticide dealers license.
License Issue	Caller is concerned this company is applying antimicrobial pesticides for mold and mildew remediation without proper applicator licensing.
License Issue	Maine CDC Health Inspection Program was following up on a complaint regarding fly activity at the restaurant. During the inspection a bottle of Harris Fruit Fly Treatment was observed. The inspector also observed a restaurant employee use Hot Spot Foam Treatment in a drain where fruit fly activity was occurring.
License Issue	Email received by BPC on 6/19/2023 was to report a tree injection pesticide application to control brown tail moth made by an unlicensed applicator in Boothbay Harbor during the week of June 4, 2023.
License Issue	Large box stores have renewed GUPD Licenses for 2023.
License Issue	Caller believes company that conducted mold and mildew remediation services at their rental is not properly licensed. After remaining away for 24 hours as told to do so, caller states that their home still has strong chlorine smell. Application company did not provide all labels and SDS's for products applied as requested by caller.
License Issue	Caller is a treasurer of a condo association in South Portland. The property management firm has hired a cleaning company to conduct mold and mildew remediation work. Caller is concerned that company may not have the proper licensing to perform mold and mildew remediation work.
License Issue	Inspector from the Health Inspection Program observed insecticides in the kitchen at the restaurant for use by employees.
License Issue	Caller is concerned that the owner and applicator for this company has a Spray Contracting Firm License, but is not a Certified Master Applicator. Caller has seen the this company operating in the Sebago Lake Region throughout 2023.
License Issue	On 1/10/2023 it came to the attention of BPC Staff that a tree care company had an unlicensed applicator make tree injections to control browntail moth in the fall of 2022. The company had a CMA on staff. The applicator had passed their core and 3A exams but had not submitted a license application and payment. License application and payment were received by the applicator in-person on 1/10/2023.
License Issue	Caller is concerned that an applicator with a lawn care company is making pesticide applications without proper commercial applicator licensing.
Non-Target Effects	Caller is concerned that neighboring tenant is using a rodenticide outside of their apartment complex to control squirrels and chipmunks.
Non-Target Effects	Caller witnessed a mosquito control application on June 7, 2023. Caller stated that rain occurred within 2 hours of the application. They are worried about environmental impacts of pesticides applied during rainy conditions.
Non-Target Effects	Caller left a message for the BPC stating they witnessed dead crows at a Golf Club. Caller believes dead crows are a result of an improper grub control application.
Non-Target Effects	Caller is concerned that growers at a farm may be using rodent bait in around the crops to combat woodchucks and other wildlife.
Non-Target Effects	Caller states that neighboring property is having Japanese knotweed controlled with herbicides. Caller believes that 2 arborvitae and 2 lilacs on their property have died and that their vegetable garden is now being affected as well. Caller believes it is herbicide damage from the knotweed control at the neighbor's property.
Notification / Posting	Caller is a member of the 2023 Pesticide Notification Registry. Caller was not notified prior to pesticide application at an abutting property on 4/20/2023.
Notification / Posting	Caller emailed on 6/14/2023 about lack of notification. Caller is a member of the 2023 Pesticide Notification Registry.
Notification / Posting	Caller witnessed spray application being made at neighboring property on the morning of Friday, July 21, 2023. Caller is member of the 2023 Pesticide Notification Registry and was not notified prior to the application. Application company is unknown.
Notification / Posting	Caller is a member of the 2023 Pesticide Notification Registry. Caller witnessed a pesticide spray application occur at a neighbor's property on 7/27/2023 and was notified prior.
Notification / Posting	Caller is a member of the 2023 Pesticide Notification Registry. Caller was not notified prior to a commercial outdoor pesticide application made at a neighboring property.
Notification / Posting	Caller is a member of the 2023 Pesticide Notification Registry. Caller was not notified prior to pesticide application made at neighbor's property on August 9, 2023

Notification / Posting	Tenant lives in an apartment building that was treated for cockroaches. They did not receive any type of notification.
Notification / Posting	Caller observed an unknown individual spraying what he thinks is an herbicide to the perimeter of a park in Augusta on August 16, 2023 at 12:30 pm. The applicator sprayed too close to him and his dog and didn't post the application site.
Notification / Posting	Email received on 7/14/2023 was to self-report the failure to notify a member of the 2023 Pesticide Notification Registry prior to an application that occurred on 7/13/2023 in Scarborough.
Occupational Exposure / Worker Protection Standard	Correspondence received by the BPC on 7/7/2023 states that farm workers were witnessed using the banned pesticide active ingredient, chlorpyrifos. Farm workers were observed using bare hands to transfer a granular substance from bags to boxes believed to be chlorpyrifos.
Other	Caller is looking for information about antimicrobial product used during clean up of water damage at their home in March 2023. Caller states that the company refuses to tell them what was applied.
Pollinators	Caller is concerned that the collapse of their three beehives occurred from pesticides being sprayed for tick control at a neighbors home. They believe that hives were fine until neighbor began tick control applications 2 years ago.
Registration of Pesticides	Caller identified Longview Estate Worm Farm as advertising worm casting fertilizer as having pesticide properties.
Restricted Use Pesticide Dealer	Caller observed Bonide systemic insecticide with the active ingredient, imidacloprid, for sale at a garden center in Rockport. Caller is aware of new restrictions on sale of these products to individuals that aren't licensed pesticide applicators.
Restricted Use Pesticide Dealer	Caller is concerned that a company is offering State Restricted Use Pesticides for sale as General Use Pesticides to unlicensed end users.
Schools	On 1/19/2023, a Maine CDC Public Health Inspector was conducting an inspection at a school. During the inspection several dead mice in traps were observed as well as an abundance of mouse droppings throughout the cafeteria kitchen. The infestation was large enough to declare an Imminent Health Hazard (IHH) forcing the closure of the schools kitchen. The public health inspector became concerned when they the kitchen staff had set the traps on their own following guidance from from a pest service technician. This guidance included suggesting that kitchen staff bait traps with pancakes and/ or beef jerky. The Public Health Department is concerned about inadequate pest control services being conducted at this location and contacted the BPC.
Unauthorized Application	Caller from Maine DEP sent photos that appear to show an application of herbicide to control vegetation in a cove on Salmon Lake (Ellis Pond) in Belgrade. The application is believed to have been conducted without a permit and by an unlicensed applicator to waters of the State.
Unauthorized Application	Caller does not want pesticides applied to lawn and foundation of the their condo unit in Kennebunk. Pest control company honored their request. Property Management told caller that they can't deny applications.
Unauthorized Application	Caller witnessed an applicator making pesticide application on their property with a powered backpack on July 13, 2023. Caller does not contract with this company for application services and uses another company. Applicator apologized for spraying their property and was supposed to apply at a neighboring property.
Unauthorized Application	Caller is concerned that a neighbor may be applying herbicides to trees on the caller's property to improve water views.
Unauthorized Application	Caller used to contract with a company for tick control services in 2022. Caller now has a contract with another application company for 2023. Caller has received an invoice from the previous company for an application of cedarwood oil to their property that was believed to have occurred on may 26, 2023.
Unauthorized Application	Caller is concerned that mosquito spray occurring at neighbor's property is being applied over the property lines and onto other properties.
Unauthorized Application	Caller stated that someone may be applying herbicide to her property without authorization. For the last month and half they have observed dying flowers and trees including raspberries and apple trees. They have observed yellow and white powdery substances around the base of trees. They believe this activity is occurring at night as they have not observed the applications occurring.
Unauthorized Application	Sales and service coordinator for a company self reported an unauthorized application for grub control in Westbrook. The previous owner of the property had signed a renewal contract for services for this location on 2/3/2023.
Use Inconsistent with the Label	Caller is concerned about pesticide application they witnessed on Thursday, August 10 around 4p. Caller observed power spray application herbicide/pesticide into a ditch with standing water that connects to a stream and wetland. Caller was concerned that thunderstorms were in the area and rain occurred in the evening following the application. allowing for runoff. Caller also believes the applicator was not wearing the proper PPE while making the application.
Use Inconsistent with the Label	Email received raises concern about improper use, storage and unlicensed application of Hot Shot Liquid Roach Bait Traps, Combat Gel Bait, Hot Shot Fogger and Ortho Home Defense Max Indoor Insect Barrier in their apartment by property management to mitigate a cockroach infestation.
Use Inconsistent with the Label	Caller witnessed pesticide application being conducted during rainy conditions on September 12, 2023 in Westbrook.
Use Inconsistent with the Label	Caller is concerned that there is still a rodent problem in their home after a new pest control company took over the services. Caller is also concerned that the new company has been applying insecticides at their home, and they only contract for rodent control services.
Use Inconsistent with the Label	Witnessed pesticide application for mosquito/tick control being made during wet/rainy conditions.
Use Inconsistent with the Label	Caller had hired a pest control company to perform structural pest control services. Caller believes that pesticides were incorrectly applied to their home on 9/14/2023, allowing the pesticide to enter their home. Caller states that home still smells like the chemical applied one week after the application.
Use Inconsistent with the Label	Public Health Inspector responded to a rat complaint at a Restaurant in Wiscasset. The inspector observed rodent bait exposed on the ground around the perimeter of the restaurant and provided pictures. Health Inspection Program is concerned about exposed rodenticide harming humans and/or wildlife.
Water Quality	Email forwarded from DEP raises concern about herbicide being applied to a streambed that feeds into Bauneg Beg Pond. Application was made in area adjacent to new construction.
Water Quality	Caller is concerned that someone is applying pesticides near their well intentionally. There are patches of turf near the well head that died off a couple year ago and have not come back. They believe that their vegetable garden was poisoned with herbicide a few years ago and they can no longer grow a garden.

Complaints 2023 - Total = 72





Pesticide Update

EPA's Office of Chemical Safety and Pollution Prevention

EPA Releases Draft Biological Opinion for Carbaryl for Public Comment

Today, the U.S. Environmental Protection Agency (EPA) is releasing and seeking public comment on the U.S. Fish and Wildlife Service's (FWS) draft biological opinion for the insecticide carbaryl. Carbaryl is a pesticide used on a variety of crops, including field vegetables and orchard crops.

Under the Endangered Species Act (ESA), EPA must ensure that its actions, including many pesticide registration actions, do not jeopardize federally listed endangered or threatened species, or adversely modify their designated critical habitats. When EPA determines in a biological evaluation that use of a pesticide product may affect these species or critical habitats, EPA must initiate formal consultation with FWS, the National Marine Fisheries Service (NMFS), or both (the Services). In response, the Service(s) may develop a biological opinion that determines whether the pesticide will jeopardize listed species or adversely modify critical habitats.

In March 2021, EPA completed its final biological evaluation for carbaryl. EPA's biological evaluation made "likely to adversely affect" determinations for 1,640 listed species and 736 designated critical habitats for carbaryl. A "likely to adversely affect" (LAA) determination means that EPA reasonably expects that at least one individual animal or plant of any listed species may be exposed to these pesticides at a sufficient level to have an adverse effect. This is the case even if a listed species is almost recovered to a point where it may no longer need to be listed.

EPA initiated formal consultation with the Services upon completing these biological evaluations and, in response, FWS has developed a draft biological opinion for carbaryl. In 2024, NMFS completed its final biological opinion for carbaryl. Later this year, EPA will complete implementation of the NMFS BiOp by approving new carbaryl labels reflecting mitigations from the BiOp and issuing Endangered Species Protection Bulletins that set geographically specific limitations on carbaryl use.

Biological opinion and next steps

FWS determined in the draft biological opinion that use of carbaryl is likely to jeopardize 78 listed species and adversely modify 14 critical habitats when used as currently registered.

The draft biological opinion proposes measures to avoid jeopardy and adverse modification as well as reduce risks on carbaryl use sites. These proposed measures include ground boom and aerial application restrictions, rain restrictions, and reductions in maximum annual amount and number of applications to various crops, ornamentals, and turf. FWS is also proposing to incorporate mitigation measures from EPA's Insecticide Strategy, once finalized later this year, and refine carbaryl label directions using geographic specific mitigation through Bulletins Live! Two.

After the 30-day public comment period, EPA will provide FWS with the comments received for consideration before FWS finalizes the biological opinion. Following the release of the final FWS biological opinion, EPA will implement the measures described in the FWS final biological opinion.

The FWS draft biological opinion is available for public comment for 30 days in docket [EPA-HQ-OPP-2024-0579](#) at www.regulations.gov.

[Read the Draft Biological Opinion for Carbaryl](#)



Pesticide Update

EPA's Office of Chemical Safety and Pollution Prevention

EPA Finalizes Settlement and Announces New Tracking Website for Endocrine Disruptor Screening Program Data Call-In Notices

EPA is announcing the December 12, 2024, final settlement relating to the implementation of the Endocrine Disruptor Screening Program (EDSP). The final settlement terms include EPA's commitment to several action items to assess the potential effects of conventional pesticide active ingredients on human health. As part of the settlement agreement and to increase transparency related to the EDSP effort, EPA is also announcing a new tracking website to provide updates on Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) Data Call-In (DCI) Notices issued to registrants of a group of high priority conventional pesticides. These pesticides, referred to as Group 1, demonstrated potential impact to the estrogen or androgen pathways and may need additional data to inform endocrine-related assessments. [EPA's tracking website](#) includes updates on the release and response to these DCIs including DCI notice number, the issuance date, the acknowledgement of receipt date, the company name and number, the 90-day response date, and the required date of data submission.

Following the 1996 amendment of the Federal Food, Drug, and Cosmetic Act (FFDCA), EPA established the EDSP to evaluate how pesticides and other chemicals may affect estrogen, androgen, and thyroid systems. Endocrine disruptors are chemicals that mimic, block, or disrupt the normal function of these hormones. Since establishing the EDSP, EPA has encountered several challenges with implementing the program. For example, the agency has historically lacked scientific methods to rapidly and cost-effectively test thousands of chemicals for endocrine-disrupting effects. Further, EPA's decisions rarely explained whether or how they complied with FFDCA by protecting humans from potential endocrine effects. EPA staff also received minimal support and direction from leadership in the last Administration to implement the EDSP, and were challenged by repeated Presidential budget proposals to eliminate the

program budget. Because of these and other issues, the Office of Inspector General issued a report in 2021 concluding the agency had made limited progress in implementing EDSP and recommending the agency develop an EDSP strategic plan.

In October 2023, [EPA issued a Federal Register Notice](#) with EDSP Near-term Strategies and supporting documents that describe how EPA is prioritizing its endocrine disruptor screening, focusing initially on conventional pesticide active ingredients. The supporting documents are available on www.regulations.gov in docket number [EPA-HQ-OPP-2023-0474](#). As explained in these materials, conventional pesticides in registration review that may need additional estrogen or androgen data were placed into one of three priority groups. EPA is requiring data earlier in the registration review process and expediting DCIs for Group 1 chemicals.

FIFRA DCIs were issued to registrants of 24 EDSP Group 1 chemicals between September 30 and November 25, 2024. Registrants may supply the data requested by EPA, request a waiver, or cite existing data to address the FIFRA DCI requirements.

The settlement documents can be found on www.regulations.gov in docket number [EPA-HQ-OGC-2024-0391](#). For further information on endocrine disruption and the EDSP, please visit EPA's [website](#).

Annual Obsolete Pesticide Collection Program Fall 2024 Update

Number of sites: 4

Locations: Presque Isle, Bangor, Augusta, and Portland

Amounts (lbs.) and number of participants:

2020 – 5,245, 128 participants

2021 – 12,000, 63 participants (5 sites)

2022 – 9,920, 67 participants

2023 – 4,825, 60 participants

2024 – 5,205, 65 participants (5 sites)

Average over last 5 years: 7,439 lbs. with 76.6 participants

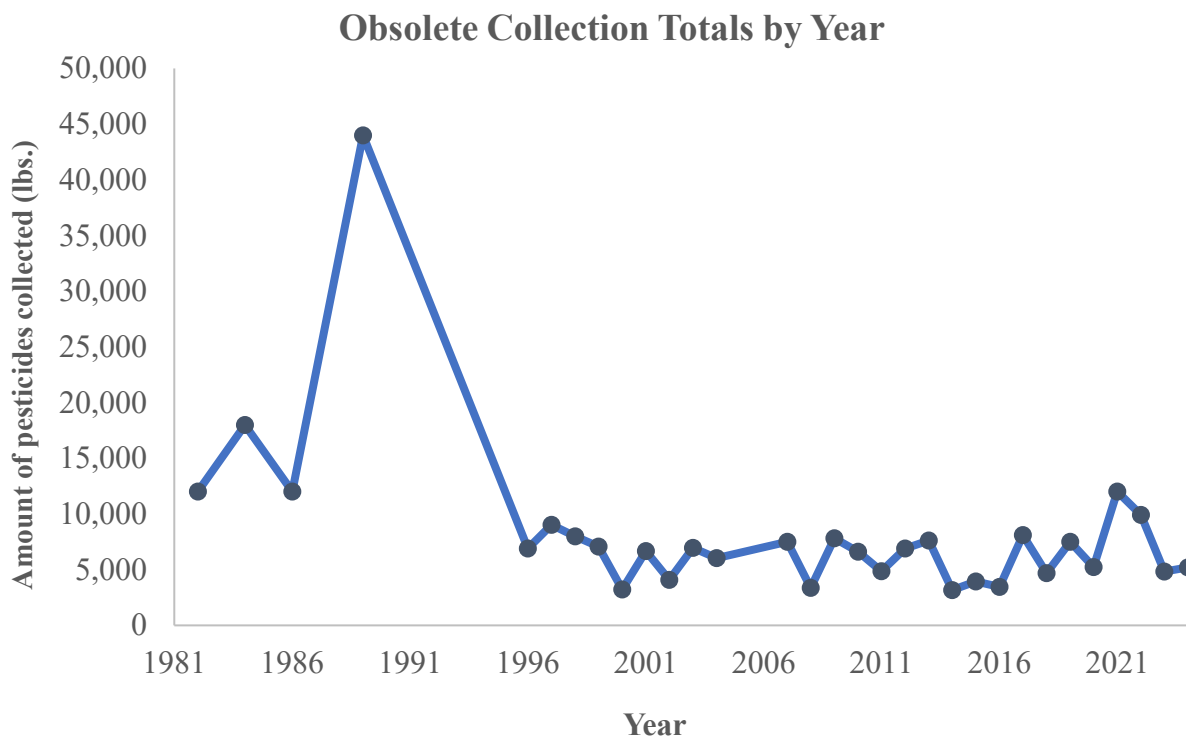


Figure 1. Amount of obsolete pesticides received over time through the Obsolete Pesticide Collection Program in Maine. Total waste removed from the state of Maine since 1982 is 256,746 lbs.



Pesticide Update

EPA's Office of Chemical Safety and Pollution Prevention

EPA Announces Interim Decisions on Chlorothalonil, Thiophanate-methyl, and Carbendazim

The U.S. Environmental Protection Agency (EPA) is releasing interim decisions (ID) for three pesticides with wide-ranging fungal and antimicrobial properties. Chlorothalonil, thiophanate-methyl (TM), and carbendazim (MBC) all have long histories of use with low potential for resistance, making them highly beneficial for growers of various crops and other antimicrobial applications. These IDs address any risks from these pesticides, providing necessary mitigations to protect both human health and the environment. These IDs reflect updates to the risk mitigation approaches contained in the Proposed Interim Decisions (PID) as a result of public comments, including reducing risks to children, workers and critical species habitat.

Chlorothalonil

Chlorothalonil is a fungicide and antimicrobial with a broad range of uses, including conventional food (e.g., potatoes, peanuts, tomatoes, herbs, berries, wheat, and fruit and nut trees), non-food (e.g., non-residential turf, sod, golf courses, ornamental plants and shrubs, and Christmas trees), and antimicrobial (e.g., building products, adhesives, concrete blocks and surfaces, paints, plaster, metals, and lumber). Chlorothalonil has been used for nearly 60 years with no known pest resistance.

As a part of the registration review process, draft human health and ecological risk assessments were conducted that identified several risks of concern. For human health, both acute and chronic risks driven by drinking water exposure were identified. Acute exposure in laboratory studies demonstrated potential for developmental effects in pregnant individuals and chronic exposure in laboratory studies demonstrated potential for adverse kidney effects. For some of the antimicrobial uses of chlorothalonil, there are also potential inhalation risks for workers handling chlorothalonil during the manufacturing of treated products. Inhalation exposure to chlorothalonil could result in difficulty breathing due to respiratory irritation. Acute and chronic ecological risks of concern were identified for birds, mammals, fish, amphibians, aquatic invertebrates, and aquatic non-vascular plants. For antimicrobial uses, ecological risks of concern were identified from use of chlorothalonil in the papermaking process and chlorothalonil-treated exterior paints.

EPA could not accurately assess the risks to pollinator species because of a lack of data; therefore, the agency is developing a Data Call-In for additional pollinator data to fully evaluate risks to non-target terrestrial invertebrates, especially invertebrate pollinators.

To address the human health and ecological risks identified from the use of chlorothalonil, as well as feedback from the public comment period, EPA identified necessary mitigation measures that will be included in the fungicide's label language including label standardization, reduction in maximum annual application rates, buffers to all conservation and aquatic areas, and prohibiting application to soils that are saturated with water. To address dietary risks resulting from drinking water exposure via groundwater contamination, lower maximum application rates were identified for areas where soils are vulnerable to chlorothalonil leaching into groundwater. To address the risks of concern identified for the antimicrobial uses of chlorothalonil, EPA has determined that new personal protective equipment (PPE) and respirator fit-testing measures are necessary for occupational handlers. Additionally, EPA determined it is necessary to restrict chlorothalonil's use to the dry end of the papermaking process.

In 2011, the National Marine Fisheries Service (NMFS) released a partial Biological Opinion (BiOp) specific to listed Pacific salmon and steelhead species for various pesticides, including chlorothalonil. With this ID, EPA is implementing modifications to the Reasonable and Prudent Alternatives (RPAs) described in the 2011 NMFS BiOp. These modified RPAs reflect the nationwide mitigation measures already proposed in the PID as well as updates to NMFS' approach to reducing pesticide exposure since the original RPAs of the 2011 NMFS BiOp. In addition to the label-wide mitigation measures described above, EPA is requiring a rainfall restriction for applications of chlorothalonil made within the listed salmonid and steelhead ranges and designated critical habitat. Geographically specific mitigation measures will be implemented using the Agency's [Bulletins Live! Two](#) system.

Thiophanate-methyl (TM) and Carbendazim (MBC)

TM is a fungicide registered for many agricultural use sites including fruit crops (pome, stone, citrus, grapes, strawberries), nut crops (almonds, pecans, pistachios), vegetables (cucurbits, potatoes, dried and succulent beans, and onions), soybeans, peanuts, canola, crambe, garlic, ginseng, coffee, sugar beet, wheat, and triticale. Seed treatment uses of TM include dried and succulent beans, peanuts, potatoes, soybeans, spinach, triticale, and wheat. TM is also registered for non-agricultural uses on turf and ornamentals. TM degrades rapidly to MBC, which is more stable and persistent than TM. MBC has one conventional use as a tree injection and is also an industrial biocide used in antimicrobial products as a fungicide for materials preservation (e.g., coatings, paints, adhesives, sealants, textiles, and plastics). Both TM and MBC are older, cost-effective active ingredients with low potential to develop resistance.

The draft human health and ecological risk assessments conducted as a part of the registration review process identified several risks of concern. For TM, dietary and aggregate cancer risks (based on the potential for liver tumors) were identified. Non-cancer risks (based on potential thyroid toxicity) and cancer risks were also identified for occupational handlers of TM in some scenarios. For MBC, non-cancer dietary risks were not of concern after considering the effects of the mitigation measures and refinements for uses of TM. EPA also reevaluated the carcinogenic potential of MBC which included new information submitted to support a proposed mode of action for liver tumors in mice. The re-evaluation resulted in a lower concern for potential carcinogenicity in humans,

reclassifying MBC as “Suggestive Evidence of Carcinogenic Potential.” For chemicals with this cancer classification, the chronic non-cancer risk estimates are protective of potential carcinogenicity in humans. Mitigation measures, however, are still needed to address non-cancer risks of concern. Additionally, risks were found to freshwater and estuarine/marine fish and invertebrates, birds, mammals, and terrestrial invertebrates.

EPA has developed measures to mitigate the risks of concern for conventional uses of TM and MBC. To mitigate risks from dietary exposure to TM and MBC in water, EPA is restricting soil applications and reducing application rates of TM. To mitigate risks to occupational handlers of TM, EPA has determined that additional PPE is needed for some scenarios to reduce risk for mixers, loaders, and applicators of TM. To address risks to ecological taxa, EPA is updating label statements and implementing spray drift management measures. The restriction of soil applications and reduction in application rates of TM are also expected to reduce risks to ecological taxa, as less TM is expected to enter the environment when compared with what is currently permitted on labels.

EPA updated some of the Federal Insecticide Fungicide Rodenticide Act Interim Ecological Mitigation measures after considering public comments on the Endangered Species Act Workplan Update and additional EPA and interagency review of the mitigation measures. For TM only, EPA is updating product label language for surface water protection and treated seed, the surface water runoff mitigation menu, and spray drift reduction buffers. For TM and conventional use of MBC, EPA is updating product label language for pollinator stewardship, ecological incident reporting, and endangered species protection requirements.

For antimicrobial uses of MBC, the use in Polyvinyl Chloride (PVC) applications will be removed from pesticide labeling to mitigate residential post-application risks to children 1 to 2 years old. Although the initial risk assessment found potential risk to children who might be exposed to vinyl flooring with MBC-treated PVC, during the public comment period on the risk assessment, the registrant indicated that MBC is only used on the adhesive on the back of the vinyl flooring and is not used on the top layers of vinyl flooring that would result in dermal exposures to residents who have MBC-treated floors, thus minimizing potential exposure. In subsequent discussion with the registrant to clarify the use on the label and ensure the potential risk was mitigated, the registrant decided to cancel the use. To mitigate inhalation and dermal risks to occupational handlers applying paint, EPA determined that rate reductions are needed for paint preservative uses. EPA also determined that application rate reductions are needed for caulks, plasters, sealants, and adhesives to mitigate inhalation and dermal risks for workers applying these treated materials. EPA also determined that closed loading for liquid formulations and closed loading or water-soluble packaging is needed for powder formulations of MBC as a materials preservative to mitigate inhalation and dermal risks to occupational handlers mixing MBC into materials. EPA has also determined that mitigation language is needed to clarify that MBC may only be used in the dry end of the pulp and paper process to mitigate risks to freshwater fish and invertebrates and aquatic non-vascular plants.

The IDs are available for review in dockets [EPA-HQ-OPP-2017-0751](#) (Chlorothalonil) and [EPA-HQ-OPP-2014-0004](#) (TM and MBC) at www.regulations.gov.