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GOVERNOR

STATE OF MAINE
MAINE DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
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AUGUSTA, MAINE 04333-0028

WALTER E. WHITCOMB
COMMISSIONER
HENRY S. JENNINGS
DIRECTOR

BOARD OF PESTICIDES CONTROL

February 21, 2014

AMHI Complex, 90 Blossom Lane, Deering Building, Room 319, Augusta, Maine

MINUTES

8:30 AM

Present: Jemison, Bohlen, Flewelling, Granger, Stevenson, Eckert, Morrill

1. Introductions of Board and Staff

- The Board, Staff and Assistant Attorney General Mark Randlett introduced themselves
- Staff Present: Jennings, Hicks, Tomlinson, Connors, Fish

2. Minutes of the January 8, 2014, Board Meeting

Presentation By: Henry Jennings
Director

Action Needed: Amend and/or Approve

- **Page 3, second bullet, fourth line, put a semicolon after the word “edge”**
- **Granger/Stevenson: Moved and seconded to approve as amended**
- **In favor: Unanimous**

3. Consideration of Complaint Filed by Donna Herczeg of Portland Concerning TruGreen Lawncare and Sterling Insect-Lawn Control

Chapter 90 of the Board’s rules (attached) allows citizens and organizations to submit complaints to the Director for the purpose of having the complaint placed on a Board Meeting agenda. While most complaints are not handled in this manner, Chapter 90 provides an alternate avenue to the public to present concerns directly to the Board on matters in which the compliance staff is unable to address. The Board will review the complaint and determine if any action is warranted at this time.

Presentation By: Henry Jennings
Director

Action Needed: Determine whether any action is warranted

- **Tabled to next meeting because complainant did not attend due to bad weather.**

4. Review of Board Policy Relative to the Environmental Risk Advisory Committee

In 1999, the Board first created the Environmental Risk Advisory Committee (ERAC) as an analog to the Medical Advisory Committee (MAC), to assist the Board in evaluating and addressing state-specific environmental concerns. The ERAC has not been active since 2006, when it completed work relating to concerns about browntail moth spraying. Since the committee has no current membership, and it has not met in nearly eight years, the staff proposes that the Board review the ERAC policy to ensure that it best articulates the Board's goals, and decide whether the proposed membership still makes sense.

Presentation By: Henry Jennings Lebelle Hicks
 Director Staff Toxicologist

Action Needed: Provide Feedback to the Staff about the ERAC Policy and the Proposed
 Committee Membership

- Jennings explained that when the policy was developed the ERAC was fairly active and it made sense to have standing members to make it quicker to assemble. The ERAC has not met since 2006. It might be nice to be able to tailor membership around a particular issue. The section of statute describing the two public members as having a “demonstrated interest in environmental protection” has changed, so it needs to be changed in the policy also.
- Hicks remarked that the first paragraph of the policy is still relevant because it describes the credentials needed. The committee has never had anyone from an environmental group or from industry. If the committee comes back to the Board with recommendations for rulemaking then there would be a hearing process and that would be the appropriate place to hear from environmental and industry groups. This is the review for the scientific data.
- Hicks explained that the committee members are appointed by the Board, and the committee is usually chaired by a board member.
- Bohlen stated that he would like the committee to have a very clear charge. If the committee is to be ad hoc rather than standing, he would like to have something that says the Board will specify a purpose.
- Jennings noted there has been research in other parts of the country, mostly California, looking at pesticides in sediments; the research is raising concerns about potential toxicity to invertebrates that are sediment dwellers. Maine did stream sampling in 2008, 2009 and 2010, not far from the coast. The lobster research out of Connecticut from last year has been largely discredited. The bill that was introduced to the Legislature would have done nothing to protect the lobster industry, because the products specified to be banned are not used in Maine. Those products may be critical to saving lives in case of a mosquito-borne outbreak. Not a good idea to throw out without analysis. The Department of Marine Resources is anxious to work with the Board on this issue.
- Randlett pointed out that the Administrative Procedures Act (APA) gives authority for the Board to develop ad hoc committees as needed; there is no legal requirement for a policy.
- Bohlen said that, if there is a policy, the words “called with a specific charge from the board” should be included, otherwise the committee can take whatever action it chooses.
- Hicks said that, historically, when the Board begins discussing a committee, there are a number of volunteers; the policy clarifies that the committee members must be scientists from appropriate disciplines with no vested interest in the outcome.
- Jennings stated that is important for this committee to get started as soon as possible and suggested defining disciplines that the Board thinks are most important. The Board can identify people to the extent possible and then have Lebelle contact them to see if they are available. Hicks noted that if any of the suggested members are not available, they might be able to find someone else in their organization who meets the need.

- Bohlen noted that sampling in cold water needs to be done in the next two months and agreed the committee should get started as soon as possible. Jennings said that the ERAC needs to direct the sampling in order to answer the questions the committee is asking.
- Eckert said that, looking at the proposed list, there are a couple of people with general expertise or who work for state government or the university. Some have specific knowledge around this issue; there will be other issues in the future that won't be a good fit for those people, so we won't want them on the committee permanently.
- Bohlen said that he has worked with Kohl Kanwit from DMR on other issues; she is very sharp on public health and other issues related to the shellfish industry. Kohl knows what's going on with clams, not just lobsters, but all soft bottom dwellers. That kind of expertise is important, but we need technical skills so we might need someone else from DMR. Jennings noted that she had been recommended by Carl Wilson at DMR. The logic was that probably the committee should focus more broadly than just lobsters—on all sediment dwellers. The Board should make sure there are other resources present for which the same questions may be important, such as clams and worms.
- Tim Hobbs opined that this was interesting in view of the proposed legislation. He noted that on the neonicotinoid bill, the Board took a position before convening an ERAC. There have been at least eight years of studies on neonicotinoid and pollinators and no definitive conclusion yet. Coming back next year with a position (on pesticides and lobsters) will be a huge responsibility. The Legislature will look at this Board and the ERAC; he wonders if the Board is getting in a position where it's going to be the judge and jury on these pesticides.
- Hicks replied that that can't be avoided.
- Granger remarked that with or without the ERAC, the Board is never going to have all the information; if it can demonstrate that a good faith effort has been made, he is comfortable with making a recommendation.
- Eckert noted that the ERAC process is slow and we're not going to get complete reports on two big issues in one year.
- Tim Hobbs said that the policy should include a statement of the reality of what the committee is being asked to do, without enough time and without enough resources. The statement would recognize constraints, and recognize that the Board is making the best recommendations that it can.
- Jemison suggested that in lieu of a policy the Board could set up ad hoc committees with directives.
- Jennings stated that the decision should not be around whether it's too much work; have to be sensitive to Lebel's workload, but if we have to subcontract, we will. Have to figure out a way to do it.
- Eckert concurred with Bohlen in that there should be a specific charge; if you're going to have a voluntary committee, it has to be clear what you're asking them to do.
- Bohlen said it needs to concentrate around lobster and sediment exposure issues around pesticides. History is relevant, there were samples showing conflicting sample results in lobster caught in Maine. The Board needs people on the committee who can look at what chemicals are of concern to these animals; look at every different angle. Sediment analysis is tricky; the committee needs someone who can look at the chemistry of sediments. Hicks noted that this is new science for EPA also and is very technical.
- Fish pointed out that we need to know what strata need to be sampled. The first year the Board did sediment sampling they went too deep and found nothing; the next year they did different strata and got different results. Tomlinson said that the sampling would be refined, based on research and what was done in the past and also based on the Montana lab protocols.
- Jemison noted that the Board needs to make a decision on a policy; the committee will do a better job if there isn't a formal policy, but there is a clear charge.
- Hicks suggested making the term the duration of the project.
- Morrill said that we need to be careful how the initial question is phrased. Is it sediment or is it water quality? What about mud, rock shoals? The Board doesn't want to narrow the charge so much that we limit the scope, or create public alarm where there is none.

- **Consensus was reached to form an ERAC to “examine whether current pesticide residues have the potential to affect the lobster industry in Maine directly or via impact on other marine organisms.”**

5. Formation of an Environmental Risk Advisory Committee to Address Concerns about Potential Pesticide Impacts on Marine Invertebrates

At the January 8, 2014, meeting, the Board reviewed pesticide-related bills currently being considered by the Maine Legislature. In the course of discussing LD 1678, An Act To Protect Maine’s Lobster Fishery, the staff highlighted some related emerging research which suggests that synthetic pyrethroids may have the potential to cause adverse effects on aquatic invertebrates. As a result of the discussion, the Board voted to direct the staff to form an Environmental Risk Advisory Committee (ERAC), intended to assess the potential impacts of insecticides on lobsters and other marine invertebrates. The staff will suggest members for the committee and seek Board input as well.

Presentation by: Henry Jennings Lebelle Hicks
 Director Staff Toxicologist

Action Needed: Provide Guidance to the Staff on the Scope and Membership of the ERAC

- Jennings said that Jim Dill has expressed an interest in serving on the ERAC. Flewelling asked if there would be a conflict of interest because he is a member of the Legislature. Jemison noted that Dill is a trained entomologist and would be a good person to look at the issue.
 - Bohlen commented that the committee needs an aquatic entomologist; Leon Tsomides’s expertise is on streams; he’s not sure if it would be relevant for this issue. The Board doesn’t necessarily need an entomologist, but someone with relevant marine expertise. If the committee needs someone from DEP then Leon is probably the right person.
 - Jemison stated that if the avenue for pesticides is through streams, then it would be helpful to have someone with knowledge of stream ecology, and Bohlen agreed that Leon would be good for that. Fish noted that Leon has done biological monitoring so, if the committee decides it wants to do that, he would have the expertise.
 - Bohlen noted that it might be helpful to look at the DEP’s surface water ambient toxics programs staff, such as Barry Moore.
 - Jennings suggested making a list of people the Board is comfortable with and, if they’re not available, give the staff a directive to get in touch with the next best available scientist. He reiterated that it is important to get started quickly.
 - Bohlen said that once the list of available people is complete there might need to be some rebalancing; not a lot of people in Maine have the necessary expertise.
- **Consensus was reached to have the staff work with the current list or find the next best scientist. The Board will be notified as soon as the membership is finalized.**

6. Review of Current Rulemaking Ideas

Over the past several months, the Board has discussed a number of policy areas for which some additional refining of rules may be desirable. The staff will summarize recent rulemaking ideas and seek Board guidance on whether and when to initiate any additional rulemaking.

Presentation By: Henry Jennings
 Director

Action Needed: Provide Guidance to the Staff

- Jennings referred to the list of potential rulemaking.
- Chapter 20: companies are following the policy by and large, but it is not enforceable in court. If put in rule, it could be stated that applicators must positively identify application sites using methods approved by the Board, so the methods can be updated in policy. The Board might be able to take enforcement action using other sections of law such as careless, faulty and negligent. Because there was a pattern of problems, the Board identified this system specifically.
- The posting of signs in lieu of identifying sensitive areas affects two rules, Chapters 22 and 28. This makes sense because generally in a residential area you can assume everything is sensitive; there is more public benefit from having a sign to alert the public that spraying was done. He noted this would be major substantive rulemaking.
- Chapter 27: not a big deal; made a small error in the record-keeping sections. The staff is instructing the schools to do it anyway and not getting pushback.
- Chapter 31: In a technical sense, if a teacher helps a student put repellent on, they become a commercial applicator. There is a policy, which may be enough because we're not looking to pursue enforcement anyway. If we open Chapter 31 for other things we might want to include it.
- Also in Chapter 31: Consider allowing reciprocal licenses for specific situations. It is difficult to get aerial applicators to come to the state during pest management emergencies, and going through the certification process is time-consuming. It would be important to have alternate ways to make sure they understand state-specific laws that are important, such as a meeting.
- Chapters 31 through 34: The logic behind a wait time before retaking exams was to try to get people to study before coming back. On the other hand, if people are just bad test takers, it may cause some hardship. The Board has questioned the propriety of this requirement.
- Chapter 41: Remove the restrictions around hexazinone because everyone who might be using it will be licensed under the new Ag Basic license.
- New Chapter: The idea was to have a license around people making pesticide recommendations. The Board determined this would be difficult to attach to an existing license. A lot of university people have the private license; there was some pushback trying to make them get a commercial license. It didn't really seem to fit.
- Jennings said that the Board needs to decide whether to do any rulemaking and, if so, when, and which chapters.
- Morrill said that if we're going to do rulemaking, we should just do them all. A lot of these items have been talked about over the years. Most are fairly straightforward and seem to be needed. He is not in favor of adding a category for those making recommendations.
- Stevenson asked how one would post for larger mosquito applications. Along a fenceline? Otherwise, it makes sense. Jennings agreed that it would be difficult to post for mosquitoes. Morrill said that the same is true for Category 6B; how do you post signs for a sidewalk application? Jennings said that linear treatments could be handled differently but, for a playground, for instance, you would want posting. Morrill said that the problem is the definition of what a 6B category is. Jennings said that in the rule the Board can customize the requirements. The linear ROWs don't make sense for posting; sidewalk treatments are generally going to be posted in the newspaper or on a website.
- Jemison said there may be some opinions about changing what the signs look like. Jennings agreed, saying that as we go through the process, the rule could be closely examined to see what changes should be made. Some of the rules would be major substantive, such as those pertaining to notification about outdoor pesticide applications. What constitutes major substantive is somewhat vague in statute.
- Bohlen suggested looking at the workload of the staff and what would be gained from the rulemaking. If there is a working solution in place now, does anything really need to be done? Jennings replied that if the Board feels something should be enforced, it can't be done in policy. For

instance, the policy defining an occupied building is just for clarification; it doesn't need to be enforced.

- Randlett remarked that the policy about positive verification should be in rule. If anyone wanted to dispute it, it does not carry the force of law.
- Bohlen commented that he didn't see any urgent rulemaking that might have adverse impacts to public health or the environment, except maybe Chapter 20.
- Eckert said that the Board might want to have a philosophical conversation about notification: what's useful, what's just bureaucracy that doesn't really have significant real world impacts.
- Jennings noted that the staff is not really challenged to find things to do, but two of these suggestions came from constituents and the Board is generally very sensitive to those. Morrill agreed that we don't hear lot of constructive ideas from the public and we should be sensitive to that.
- Stevenson asked Eckert if she had had suggestions for effective ways of posting. She replied that she would have to study all the rules about posting and notification. With linear projects and long corridors, public notification is probably more useful than signs; it seems reasonable to use more public notification than signs. In other situations it makes sense to post, such as at an entrance to a playground or walking trail.
- Jennings asked if some signs have become so busy that they detract for the intent of the rule. Eckert agreed; the signs are fairly small and have a lot of advertising; do they do the job? Morrill said that the rule is very specific about the minimum size, font size; if the sign is just that, it's very clear and very precise. Bohlen said that in his experience people see the sign, but they don't read it.
- Stevenson said that he is on the fence about signs. They are not reusable or recyclable so a lot is going in the garbage.
 - **Granger/Flewelling: moved and seconded to table**
 - **In favor: Unanimous**

7. Consideration of a Consent Agreement with Atlantic Pest Solutions of Kennebunkport

On June 3, 1998, the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine and resolve the matter. This case involved drift from a mosquito/tick control operation into a brook.

Presentation By: Raymond Connors
Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

- Connors noted that Ralph Blumenthal from Atlantic Pest Solutions was present. Connors summarized the case. The abutter to the customer's property called the Board because he had watched the application and believed that some pesticides had entered a small brook. The inspector met the parties on-site and took samples. Both samples came back positive for bifenthrin. The abutter said the applicator wasn't entirely away from the brook. The person doing the application was an unlicensed applicator, which is legal, as long as a licensed applicator is on site.
- Ralph Blumenthal said that initially there was a dispute about the term "brook;" it had been rainy, and there is a high water table in that area. The technician had noted some standing water and instructed the unlicensed technician to stand with back to the water and spray away. It doesn't negate the fact that pesticides were found in the water, so they decided they weren't going to call the neighbor a liar and would agree to the consent agreement.

- Flewelling asked if it was an intermittent brook. Connors replied that according to the complainant, it has water except during a drought; there was water present at the time of application. There are plants indicating that it is a wet area.
 - **Morrill/Eckert: Moved and seconded to accept consent agreement**
 - **In favor: Unanimous**

8. Consideration of a Consent Agreement with Ramon Forestry Service, LLC, of Clinton

On June 3, 1998, the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine and resolve the matter. This case involved drift to a residential property from an application to an abutting blueberry field.

Presentation By: Raymond Connors
 Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

- Connors explained that this company provides commercial applicator services, including work on blueberry fields. They did an application in Palermo using an airblast sprayer. Residents in the house directly across the street thought the wind caused drift from the field toward the house. Two foliage samples near the house in turn came back positive for the active ingredient.
- Jennings noted that it is a difficult location, tough to spray with an airblast sprayer because the house is so close to the road.
- Connors said another application was done and the same neighbor complained, but no residue was found. The applicator had increased the buffer from 60 feet to 150 feet and adjusted the sprayer to point down more to avoid drift. The applicator is cooperative, acknowledged facts as presented, and is trying to ensure such incidents do not recur in the future.
 - **Morrill/Stevenson: Moved and seconded to accept consent agreement**
 - **In favor: Unanimous**

9. Consideration of a Consent Agreement with Gateway Inn of Medway

On June 3, 1998, the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine and resolve the matter. This case involved applications by an unlicensed applicator to areas open to the public.

Presentation By: Raymond Connors
 Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

- Connors summarized the case. The owner of the motel had purchased 180 cans of the aerosol product and acknowledged that if people had dogs she would spray their room while they were gone to kill fleas. She also sprayed the hallways. She denied using all of the inventory on the property. An

inspector put a stop order on the product and she returned some of it to the distributor. The application should have been conducted by a commercial applicator; employees weren't notified; the treated areas are open to the public.

- Jemison asked if there was any training done for hotels around bedbugs, fleas, etc. Fish replied that there have been a few trainings in the Portland area, mostly with landlords, not with hotels, but that letters have been sent to them.
- Eckert asked whether the product she was using would be effective for what she was using it for. Connors said that they were on the label. Stevenson added that they would not be effective without the proper procedure.
- Eckert remarked that some outreach in this area might be helpful. Fish said that there is cross-training done every year with DHHS and food inspectors from DACF. If they cite them for pest problems they explain pesticide rules.
 - **Eckert/Granger: Moved and seconded to accept consent agreement**
 - **In favor: Unanimous**

10. Consideration of a Consent Agreement with Olde English Village, LLC, of South Portland

On June 3, 1998, the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine and resolve the matter. This case involved pesticide applications by an unlicensed applicator.

Presentation By: Raymond Connors
Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

- Connors explained that this is a housing complex. There was a complaint that employees were making applications. The inspector found that they were using insecticides to control bedbugs and other pests; there were four products on site which were documented as being used. Also, there was a report of employees on a golf cart using a product from a container with a Roundup logo, and from an unmarked container, around walkways.
- Flewelling asked if the only issue was that they were unlicensed. Connors replied that there was no evidence of misapplication, but there was also the issue of the unmarked container.
- Jemison asked if it is okay to store pesticides in the boiler room. Connors replied that it may not be the best idea, but it's not against the rules. Not freezing, and probably locked.
- Jemison asked how effective these products would be used in this way. Stevenson replied that if the applicator isn't thorough, nothing is going to work against bedbugs. There is a lot of blame on the materials not working, but really it's the skill of the applicator that determines the success of the application.
 - **Eckert/Granger: Moved and seconded to accept consent agreement**
 - **In favor: Unanimous**

11. Consideration of a Consent Agreement with Jato Highlands Golf Course of Lincoln

On June 3, 1998, the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial

threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine and resolve the matter. This case involved pesticide applications by an unlicensed applicator.

Presentation By: Raymond Connors
Manager of Compliance

Action Needed: Approve/Disapprove the Consent Agreement Negotiated by Staff

- Connors explained that the application required a commercial license because it was in an area open to the public. They had had a master applicator, but he left the golf course in 2011. The inspector determined that there were applications made in 2012 when no one with a license was employed.
 - **Eckert/Granger: Moved and seconded to accept consent agreement**
 - **In favor: Unanimous**

12. Other Old or New Business

- a. Friends of Penobscot Bay Offer to Assist with Coastal Sediment Sampling—H. Jennings
- b. Risk Assessment of Mosquito Adulticides—L. Hicks
 - Hicks explained that she was working on a condensed version to post online.
- c. Report to the Joint Standing Committee on Agriculture, Conservation and Forestry Regarding Grants and the Adequacy of the Product Registration Fee—H. Jennings
- d. Legislative Update—H. Jennings
 - Jennings explained that both the neonicotinoid bill and the lobster bill had come out of committee ONTP. The medical marijuana bill was amended so that pesticides can be used consistent with the label. Training requirements remain. The bill came out of committee as OTP, as amended
 - The Board instructed Jennings to attend the workshop on the LD 1744 An Act To Protect Maine Lakes
- e. The Woodland Club Chapter 29 Variance—H. Jennings
- f. Central Maine Power Transmission Right-of-Way Vegetation Management Plan for 2014—H. Jennings
- g. Beekeeper Petition to Discourage Large Retailers from Selling Neonicotinoids—H. Jennings
- h. Other?

13. Discussion About the Approval Process Relating to a Registration Request for a *Bt* Soybean Product

Dow AgroSciences LLC, has submitted a request to register a *Bt* soybean product that may be used only for seed increase, breeding, research, and seed production in breeding nurseries and research stations. Since the Board has never registered a soybean plant incorporated protectant (PIP), the staff is seeking guidance about what sort of review process—if any—the Board would like to undertake before considering the registration request.

Presentation by: Lebelle Hicks
Staff Toxicologist

Action Needed: Provide Guidance to the Staff About the Review of the Registration Request

- Hicks explained that if a request is made to register a product and we don't do anything for 180 days, it automatically becomes registered. This product has similar proteins to the *Bt* corn. It is for seed production; there is a limitation on the number of acres that may be grown in any county, but seed grown on those acres must be sold outside the country. The staff is not aware of any seed producers currently in the state.
- Jemison said that there are 3,000–5,000 acres of soybeans grown in Maine most years, some years as much as 7,000 acres. Maine does not need this technology currently; we don't have western bean cutworm. If we don't have a problem, why are we approving a product?
- Hicks said that if this is a new product it would need a PIP review. Eckert remarked that that would be a poor use of time if there's no need for the product.
- Flewelling asked what the downside of approving the product is. Hicks said we wouldn't know until we reviewed it. Randlett said that if there is an application for registration, there are criteria to consider, and one of the criteria is need. If you determine there is no need, the Board can save time; it can refuse to register the product just based on need.
- Stevenson asked what it means when it says for seed increase only. Hicks replied that they harvest the seed and sell it. If it was to be sold as food it would have to go through a complete review. However, it may be coming back into the country as imports.
- Granger said that if a farmer was approached with an opportunity to grow this product, and the product was registered, he could grow it. If we refuse to register it, that door is shut. Maine might be a good place for growing seed increase (for out-of-state or out-of-country market), we don't know. Morrill suggested that the Board shouldn't decide whether the product is needed; if they send an application we should consider it. Granger said the Board shouldn't make a decision based on the assumption that no one will want to grow this crop. Flewelling agreed that he wouldn't want to limit options.
- Hicks said the technical community would be looking at pollinating issues. Jemison said that it is self-pollinating so there is no issue of pollen drift.
- Based on this information, Hicks said there wouldn't need to be a technical committee review because pollination isn't an issue and insect resistant management has been dealt with by EPA by limiting the acreage that can be grown.
- Hicks noted that this label is only for seed production. Down the road we may be looking at a different label.
 - **Morrill/Granger: Moved and seconded to approve registration without a technical committee review**
 - **In Favor: Unanimous (Eckert not present for vote)**

14. Schedule of Future Meetings

March 28, May 9, June 27, August 8, and September 12, 2014, are tentative Board meeting dates. The June 27 meeting is planned to be held in the Madison/Skowhegan area, following a tour of Backyard Farms. The Board will decide whether to change and/or add dates.

Adjustments and/or Additional Dates?

15. Adjourn

- **Morrill/Granger: Moved and seconded to adjourn at 12:21 PM**
- **In favor: Unanimous (Eckert not present for vote)**