



THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND
ENVIRONMENTAL AFFAIRS
Department of Agricultural Resources

**State Reclamation and
Mosquito Control Board**

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STATE RECLAMATION AND MOSQUITO CONTROL BOARD MINUTES/SUMMARY

State Reclamation and Mosquito Control Board (SRMCB) Meeting
August 20, 2007 at 251 Causeway Street, Boston, MA

State Reclamation and Mosquito Control Board

Mark Buffone, SRMCB, DAR Member, Chairman
Mike Gildesgame, SRMCB, DCR Member
Alisha Bouchard, Recommended Projects Administrator for State Reclamation and Mosquito Control Board

Mosquito Control Project Commissions

None

Mosquito Control Directors/Superintendents or Assistants

Bruce Landers, Suffolk County Mosquito Control Project

Others

Brad Mitchell, Director of Division of Biosecurity and Regulatory Services for the Department of Agricultural Resources (DAR)

1. Call to Order and Attendance

Mark Buffone called the meeting to order at 1:42 PM. He stated that the meeting is being held at 251 Causeway Street, Conference Room A in Boston, MA in the conference room A at the Department of Agricultural Resources (DAR) on Monday, August 20, 2007. Chairman Buffone introduced himself as the representative for the Department of Agricultural Resources (DAR) and Mike Gildesgame representing the Massachusetts Department of Conservation and Recreation. Glenn Haas representing the Department of Environmental Protection was absent. The Chair, however, noted that the Board did have a quorum for voting purposes. Before continuing, the Chairman distributed the attendance sheet and asked those present to introduce themselves and whom they represented.

2. Vote to approve draft policy regarding adult mosquito control products and compliance of pesticide labeling bee precaution statements

Background: Chairman Buffone made available copies of the draft policy. The chairman announced that the objective was to consider and approve the draft policy pertaining to adult mosquito control products and compliance of pesticide labeling bee precaution statements. Chairman Buffone stated that the primary purpose of the policy and meeting was to address the recent changes (new honey bee precautions) to the approved EPA labeling of many of the mosquito control products. In particular, Chairman Buffone highlighted Anvil 10+10 ULV, a common product used by the mosquito control projects. More importantly, with current virus isolations for both EEEv and WNV being confirmed, there was a need for the SRMCB to develop a policy that could protect honey bees but at the same time carry out effective mosquito control programs especially for public health purposes and comply with the labeling statements to avoid enforcement action.

Questions and Discussion: *The Chairman asked if there were any questions. Bruce Landers had questions regarding the foliar language or non-ULV wording in the policy. A lively discussion ensued concerning this issue.*

Brad Mitchell commented that from the Pesticide Bureau perspective, the label basically says you can spray from sunset to sunrise except when the vector control agency states the applications are for public health purposes. In this case, he deferred to the SRMCB to define the exception. He continued that this applies to any adulticide with that labeling. He emphasized that if you get a foliar treatment product that does not have a bee labeling, it is moot. Finally, he stated that unless the label is very clear that it applies to only the ULV application, then it covers all of it.

Mike Gildesgame stated that the purpose of from his perspective was to make sure Mosquito Control Projects and programs were complying with the label as it relates to honey bees and the where there is no indication of bees needing protection per the label, the policy does not apply. This policy only applies if label says be careful about the bees.

Chairman Buffone remarked that the intent of the SRMCB policy is to protect honey bees and emphasized the need to be consistent with that message. Mike Gildesgame agreed that the SRMCB needs to be consistent in that if we are going to protect bees in one instance, we need to protect in a global perspective. He mentioned that the policy would not negate that end.

Bruce Landers stated that by using a backpack barrier sprayer, you could avoid spraying larger areas. He believed that the policy takes away this tool leaving you with the truck mounted ULV option only. He continued, saying that more people would be exposed to pesticides via this option than the number of bees that would be exposed to barrier spray. He felt that the policy takes away a spot treatment tool for his mosquito control program.

Brad Mitchell stated that he did not feel that there actually are foliar application products that don't have bee protection language. He suggested that someone investigate if there is product labeling that is labeled for foliar applications and determine if this is really an issue. If so, the policy could be revised. Chairman Buffone asked Bruce Landers to identify and present labels to the SRMCB if they were available. In the meantime, the Chairman asked for a motion to approve the policy and note any changes if necessary. Before making the motion, Mike Gildesgame commented that the third criteria for the exception be better defined and not left so open-ended.

Action Taken: Mike Gildesgame made a motion to approve the policy as presented with 2 changes noted:

1. As new information becomes available about labeling requirements that the policy may need to be updated to conform to those changes
2. The last criteria statement adds the words after SRMCB “when risk/benefit analysis favors the application of pesticides”.

Chairman Buffone seconded the motion. Hearing no discussion, the Chairman called for the vote and the policy outlined below carried unanimously.

Adult Mosquito Control Pesticide Label Compliance Policy Pertaining to the Protection of Bees of the State Reclamation and Mosquito Control Board

Introduction

New requirements for the protection of bees have been added to the labeling of Anvil 10+10 ULV, a product commonly used for adult mosquito control in Massachusetts, as well as other products registered for adult mosquito control. These requirements have made it necessary to develop a policy that balances the environmental risks to bees from applications made to control adult mosquitoes and the need to protect the public from the threat of mosquito-borne diseases.

New Label Language

The new labeling precautions, with one exception, prohibit applications to blooming crops or weeds *when bees are actively visiting the treatment area*. The exception is when applications are made to prevent or control a threat to public and/or animal health determined by a state, tribal or local health or vector control agency on the basis of documented evidence of disease causing agents in vector mosquitoes or the occurrence of mosquito borne disease in animal or human populations, or if specifically approved by the state or tribe during a natural recovery effort.

Objective

The following policy and parameters as outlined defines the exception for Massachusetts conditions and meets the objective of compliance with these new label changes. In addition, the policy provides a basis for mosquito control activities approved and carried out under the aegis of the State Reclamation and Mosquito Control Board (SRMCB).

This policy utilizes the Massachusetts Department of Public Health (MDPH) State Arbovirus Surveillance and Response Plan. The MDPH state State Arbovirus Surveillance and Response Plan characterizes the severity of risk of arbovirus and probability of human outbreak.

Policy

Whether the mosquito control applications are deemed necessary for the purpose of annoyance alleviation or public health, the intent of the labeling is to ensure that mosquito control professionals take into account bee activity. Honey bees, bumble bees, and solitary bees do not forage at night or during very cool weather. Insecticides applied during the day at optimal temperatures inadvertently to melliferous (honey bearing) bloom can cause severe pollinator losses. Therefore, the optimal time to perform mosquito adulticide treatments, whether truck mounted, backpack, mist blower, hydraulic sprayer, etc., should occur after sunset or prior to sunrise, in order to minimize and avoid bee losses. Given that peak flight and ovipositioning behaviors of many mosquito species of concern occur during this interval, such times are ideal to perform adult control applications.

Therefore, it is the Board’s policy that any control intervention targeting adult mosquitoes (aerosol or foliar) shall be documented and commenced no sooner than sunset and conclude no later than sunrise, since bee mortality is not expected during this time interval. Under one exception, the above policy and label restriction is removed under the following conditions.

When targeting species of concern and potential vectors of arbovirus, standard, locally established adult mosquito control efforts--including aerosol and foliar, may commence prior to sunset and continue after sunrise when conditions are appropriate to achieve efficacy and in accord with all other labeling directions and restrictions. The above exception applies when the following criteria are met:

- When the risk category for the focal area is defined by the MDPH State Arbovirus Surveillance and Response Plan as level 3 (moderate probability of human outbreak) and the adult mosquito control intervention, either aerosol/space ULV or foliar/barrier application, is approved or requested in writing by the local Board of Health via letter, facsimile, e-mail, etc.; *or*
- When the risk category for the focal area is defined by the MDPH State Arbovirus Surveillance and Response Plan as level 4 (high probability of human outbreak) or 5 (critical probability of human outbreak); *or*
- When specifically requested or directed by the SRMCB when risk benefit analysis favors the application of pesticides.

Note: The SRMCB can revise this policy as new information becomes available about labeling requirements in order to update and conform to those changes.

Policy approved and voted on August 20, 2007

3. Vote for Adjournment

Background:

Chairman Buffone stated he would entertain a motion to officially adjourn the meeting at 2:15 PM.

Questions and Discussion: *None*

Action Taken: Mike Gildesgame made a motion to adjourn the meeting. The motion was seconded by Chairman Buffone and voted unanimously.

Respectfully submitted,

Mark S. Buffone, Chairman