

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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CONSERVATIONIST PESTICIDE ADVISORY COUNCIL **MEETING MINUTES**

Date: December 13, 2024

A. ROLL CALL

Kimberly Pearson, Brewster Natural Resources Advisory Commission	Present
Clint Richmond, Sierra Club	Present
Regina LaRocque, MGH Center for Environment and Health	Present
Rosemary Malfi, Xerces Society	Present
Kristin Andres, Association of Preserve Cape Cod	Present

The Conservationist Pesticide Advisory Council ("Council") did meet or exceed the minimum number three (3) of members present to form a quorum and conduct business.

DOCUMENT(S) PRESENTED:

Minutes from November 22, 2024
Pesticide Advisory Council meeting minutes that pertain to 25b products
Pre-notification Recommendation Notes

B. REVIEW OF MINUTES FROM November 22, 2024:

Motion: K. Pearson

Second: R. Malfi

In favor: All

Abstention: R. LaRocque, K. Andres

C. NOTIFICATION REQUIREMENTS, ROSEMARY MALFI

R. Malfi summarized the discussions that the Council has been having in relation to pre-notification. The goal is to have formal recommendations for the Pesticide Board ("Board"). She stated that during this meeting she wanted to have more discussion about what the consensus was and discuss new items.

A member of the public asked if the Pesticide Board Subcommittee ("Subcommittee") was going to look at pre-notification requirements for rodenticide applications. The Council asked T. LaScola to clarify. She stated that there are no specific regulations relative to structural pest control performed outside.

R. Malfi reviewed the recommendations that the Council had made a consensus on relative to 333 CMR 13.06:

- Right to information about pesticide applications made to adjacent properties.
- Clear language about planned pesticide applications to clients
 - Safety information
 - Product information
 - Description of product

- Pre-notification provided to tenants for outdoor (turf and structural) uses

The members confirmed that they agreed with those recommendations.

The Council began discussing the pre-notification requirement for non-residential turf applications and discussed the following:

- Ensuring that people in the facility are allowed to have information about an application.
- Sign Posting: T. LaScola stated that in large areas MDAR recommends that signs are posted every 200ft. There was discussion about what information should be on the signs and how far in advance the signs should be posted. T. LaScola noted that the regulations do not specify what information must be on the sign rather they state “Department Approved” of which MDAR has specifications on what the signs need to look like. If the Council wanted to discuss changing the signs that could be done through regulations or through a MDAR policy. She provided a link to the specifications: <https://www.mass.gov/doc/sign-posting-for-lawn-care-specialists/download>
- Pre-notification versus post notification: Currently post notification is provided through signage but individuals should know before the application is taking place. The Council would like there to be a mechanism that would pre-notify people about non-residential turf applications.

R. Malfi stated that she would draft a letter based on discussions to this point so that it could be brought to the Pesticide Applicator Pesticide Advisory Council and the Board.

D. 25 B MINIMUM RISK PESTICIDES, CLINT RICHMOND

C. Richmond noted that the Pesticide Applicator Pesticide Advisory Council has been discussing requiring licensing for the use of 25b minimum risk pesticides. He stated that he wanted to submit a letter to the Board about this issue. He stated that he did not think a license would be needed given that these products are low risk, many companies that use these products are already licensed, MDAR had received minimal complaints, the impact on MDAR with additional licensees, and impact on organic farmers.

T. LaScola was asked to speak on the issue. T. LaScola stated that MDAR is often asked if a license is needed, and the answer is that it is recommended. She indicated that these products are still pesticides and still pose a risk as they are meant to kill something. It was pointed out that because the products do not require registration, there is less known about the products than those that go through the registration process. The products do not have to follow labeling requirements like registered products do either and without a license requirement an individual is not required to follow the regulations. She stated that MDAR has received complaints relative to these products as well.

Discussion:

C. Richmond questioned whether the exam and training would be pertinent to people applying a 25b products. T. LaScola stated that she believed it did since 25b products are still considered pesticides.

R. Malfi asked if organic farmers would be required to have a license. T. LaScola replied that it would depend on how the requirement was written.

E. NEW BUSINESS

C. Richmond made the Council aware that the agenda for the Subcommittee meeting included a new active ingredient that it is a fluorinated compound, updates on atrazine and chlorpyrifos, and anti-coagulant rodenticides.

F. ADJOURN

Motion: R. Malfi

Second: K. Pearson

In Favor: None