

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: January 24, 2025

A. ROLL CALL

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

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
Draft Letter of Pre-notification Requirements

B. REVIEW OF MINUTES FROM AUGUST 9, 2024:

Motion: K. Andres
Second: K. Pearson
In favor: All
Abstention: None

C. PESTICIDE ENFORCEMENT UPDATES, T. LASCOLA

Regulations: 333 CMR 9.00 and 14 have been promulgated

Rodenticides: During the December Pesticide Board Subcommittee ("Subcommittee") meeting, a motion was made and approved that would allow MDAR to contract with a third party to conduct a scientific review that would then be used in a larger individual review. The request for quotes close on February 19th.

D. NOTIFICATION REQUIREMENTS, ROSEMARY MALFI

R. Malfi stated that she wanted to review the draft letter of pre-notification recommendations with the Council members for consensus. She also stated that as she reviews the document with members, she would share what she took from meeting with the Pesticide Applicator Pesticide Advisory Council ("PAPAC"). The members had no objections to the letter's introduction. R. Malfi then reviewed each recommendation. She noted that these recommendations were specific to 333 CMR 13.00.

- **Provide information to individuals that request it:** R. Malfi stated that the PAPAC members response ranged from the fact that it is best practice to provide that information (lawn care) to hesitation to provide the information (structural pest control). The hesitation came from providing customers information, providing information that would lead someone to do the work themselves and potentially misapply a product and, seeking out things like bait stations and destroying them.
- **Provide product information to the contracting entity:** R. Malfi stated that the PAPAC members indicate this is a best/common practice and to not do so could create an unhappy customer if they were to use something the customer did not like. There was discussion amongst the Council members about what type of product information (labels, type of product, active ingredient etc) should be provided and what would happen if products were to change.
- **Provide pre-notification to neighbors/abutters:** R. Malfi stated that PAPAC members noted that this is a best practice as well.
- **Provide pre-notification to residents of multi-unit dwellings**

The Council did not object to making these recommendations with the changes that were discussed.

E. 25B PRODUCTS, CLINT RICHMOND

C. Richmond stated that he wanted the Council to consider opposing the recommendation from the PAPAC to require a license for the use of 25b products. He referenced the letter from the Northeast Organic Farming Association (“NOFA”) that was sent to the members opposing this requirement for the agricultural community.

T. LaScola provide background information as to why the PAPAC made this recommendation. She explained that 25b products are considered pesticides but are not required to go through the registration process. Therefore, risk and efficacy reviews of these products are not conducted. Additionally, the manufacturers are not required to follow any label requirements. When using these products, an applicator is not required to follow any of the state’s regulations.

K. Andres stated that she supports the license requirement given how frequently they are used and the fact that they are being used on other people’s properties. She noted that she would support an agricultural exemption. R. Malfi and K. Pearson agreed.

F. NEW BUSINESS

There was no new business

K. ADJOURN

Motion: R. Malfi

Second: K. Pearson

In Favor: All