

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

251 Causeway Street, Suite 500, Boston, MA 02114  
617-626-1700 fax: 617-626-1850 www.mass.gov/agr



Maura T. Healey  
GOVERNOR

Kimberley Driscoll  
LIEUTENANT  
GOVERNOR

Rebecca L. Tepper  
SECRETARY

Ashley E. Randle  
COMMISSIONER

## CONSERVATIONIST PESTICIDE ADVISORY COUNCIL

### MEETING MINUTES

Date: June 14, 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	Absent
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

#### B. REVIEW OF MINUTES FROM MARCH 8, 2024:

**Motion:** K. Pearson motioned to approve the minutes providing that a few typos were corrected, and the Massachusetts Rhode Island Regional Poison Center name was corrected.

**Second:** R. Malfi

**In favor:** All

**Abstention:** None

#### C. PESTICIDE ENFORCEMENT UPDATES, T. LASCOLA

**Rodenticides:** T. LaScola stated that Harvard Law on behalf of several wildlife rehabilitation organizations submitted a petition to the Subcommittee to conduct an individual review of anti-coagulant rodenticides. The petition is currently being reviewed. She also stated that MDAR has been reaching out to organizations that work with domestic animals and wildlife requesting that MDAR be notified of any rodenticide incidents.

T. LaScola reached out the Massachusetts Rhode Island Regional Poison Center ("Center") regarding informing them about the Pesticide Program but has not heard back from them yet. K. Pearson offered to reach out to the Center as she works with key individuals within the organization.

R. Malfi asked if the purpose of wanting to gather the information is because of the state level review. T. LaScola stated that MDAR wants to know of any pesticide related incidents. Regarding rodenticides, she noted that MDAR hears about incidents, but has not been involved in a lot of rodenticide incident cases so it cannot determine if there are a lot of issues with rodenticides. R. Malfi asked if information from the incident reports

gets elevated to the Environmental Protection Agency (“EPA”). T. LaScola replied that when MDAR notices a trend it raises the issue to the appropriate entities. Additionally, MDAR may determine if additional efforts or regulations need to be put in place to address the issue/trend.

K. Andres stated that some of the rehabilitators see wildlife presenting symptoms of rodenticide poisoning, but don’t have the funds or resources for sampling. She stated that there is an organization called Earth Watch that is putting together a data base that lists where rodenticide bait boxes are located.

K. Pearson suggested that MDAR put together a guidance document that would state the protocol needed for veterinarians to follow when collecting samples.

There was discussion about what information is required to be placed on a rodenticide bait stations.

There were some public comments asking about MDAR resources to follow up with rodenticide incidents.

**Annual Use Report:** T. LaScola informed the Council that the annual use reports were being collected and that MDAR added specific agricultural sites to the 2023 use report because of comments made about removing them for the 2022 report. Additionally, MDAR provided a guidance document on how to fill out the form. T. LaScola stated that she had received replies to the survey she sent out relative to other states use reporting systems but has not had a chance to review it.

#### **D. PRENOTIFICATION REQUIREMENTS, R. MALFI**

R. Malfi stated that she wanted to begin reviewing the pre-notification requirements/suggestions by focusing on 333 CMR 13.06 (Turf applications) and 333 CMR 13.08 (indoor applications). R. Malfi asked what the “Department approved statement” was and T. LaScola responded that the document is called a Consumer Information Bulletin which is a frequently asked question document. Discussion around prenotification for turf applications included:

- Informing the customer what will be applied before the application takes place.
- Pre-notification for abutters which would include the active ingredient.
- Lawn care signs
- Information that is provided to tenants prior to indoor applications
- Applications made in common areas inside a multi-dwelling building
- Exemptions from notification in indoor settings

R. Malfi asked the Council members to review these items in the regulations and be ready for further discussion at the next meeting.

#### **E. NEW BUSINESS**

R. Malfi asked if the Council or MDAR could address treated seeds in the regulation. T. LaScola stated that treated seeds are considered treated article. The definition of a treated article falls under FIFRA and therefore if treated seeds were to be addressed in Massachusetts it would have to be through a legislative change.

#### **K. ADJOURN**

**Motion:** R. Malfi

**Second:** K. Pearson

**In Favor:** All