

# THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



## Department of Agricultural Resources

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## **PESTICIDE BOARD MEETING MINUTES**

October 29, 2024

### **BOARD MEMBERS IN ATTENDANCE**

Commissioner Ashely Randle, MDAR (Chair)	Present
Meg Blanchet, DPH, Designee for Commissioner Goldstein	Present
Michael Moore, DPH, Food Protection Program	Present
Misty Anne Marold, DFG, Designee for Commissioner O'Shea	Present
Sage Grace, DEP, Designee for Commissioner Heiple	Present
Nicole Keleher, DCR, Designee for Commissioner Arrigo	Present
Richard Berman, Commercial Applicator	Present
Brian Magee, Toxicologist	Absent
Steven Ward, Farmer	Present
Jack Looney, Public Member	Present
R. Christopher Brittan, Public Member	Present
Steven Bird, Toxicologist	Absent

The Board did meet or exceed the minimum number (7) of members present to form a quorum and conduct business.

### **A. REVIEW OF MINUTES FROM JULY 11, 2024:**

**Motion:** J. Looney  
**Second:** S. Ward  
**Discussion:** None  
**In Favor:** All  
**Opposed:** None

### **B. PESTICIDE PROGRAM UPDATES, TARYN LASCOLA**

Commissioner Randle first addressed how the public could comment during the meeting given the large agenda and large attendance.

**2023 Annual Use Report:** MDAR has posted the 2023 annual use report information. She noted MDAR is only posting a list by product information. A list organized by company will no longer be posted. This is due to some language in M.G.L.c. 132B which limits information can be collected which includes location. Since applications can take place directly at a farms address, MDAR is taking a more cautious approach to ensure it is complying with the statute. She noted that if someone wants company specific information, they can submit a public information request, and it will be reviewed and determined if we can release the information depending on the ask.

**Glyphosate Commission:** The scientific review has been completed. It was sent to the Pesticide Board

Subcommittee (“Subcommittee”). At the October meeting, MDAR asked the Subcommittee members if they wanted any additional information as part of the individual review and they stated they were still going through the scientific review and would let MDAR know if they needed additional information.

**Rodenticides:** As a reminder, over the summer MDAR reached out to wildlife facilities and veterinarians to ask them to notify MDAR if there was a reason to believe there was rodenticide exposure. This effort was done shortly after there was a petition to the Subcommittee asking for the subcommittee to conduct a review of rodenticides. The effort that MDAR has made has resulted in some reports. Reports range from things that MDAR could follow up on to reports of dead animals with no additional information. During the past few months MDAR recognizes that it is not able to follow up on incidents that do not have any additional information due to resources. This could be considered a gap in understanding what is taking place in the environment. Therefore, it is exploring some options that might close this gap. However, it should be noted those options may be resource dependent and we are not sure if we can. This was explained at the last Subcommittee meeting in the context of the petition. The Subcommittee agreed to hold on discussing the petition and whether an individual review should be conducted until MDAR has a chance to explore these options to obtain additional information.

Discussion: S. Ward asked if there was a lot of rodenticide use. T. LaScola stated that there is and that the amount of use could be determined by looking at the 2022 and 2023 use data. J. Looney asked if it would be worth reaching out to veterinarians. T. LaScola stated that there had not been any incidents reported since the additional outreach was sent. She noted that historically when the program sees domestic animals exposed it was because a misuse of a pesticide.

R. Berman stated that EPA is currently working on the issue, and he believes that many of the rodenticides will become state restricted and will not be available to homeowners.

M. Marold stated that she believed MDAR was trying to find information about the use patterns of rodenticides and how that is resulting in exposure.

J. Looney asked if it was possible to look at the range of movement that rodents have in relations to the placement of bait stations. T. LaScola stated that some labels have language relative how far from a structure the bait must be placed.

Public Comment: There were many public comments addressing the following:

- Stating that exposure in wildlife is happening and that rodenticides should be banned
- Confusion about who and where these incidents should be reported
  - T. LaScola stated that there is a form that people can fill out to report an incident, and that form was referenced in the outreach that was conducted.
- Questions about what kind of additional information or proof is needed to determine there is a problem
  - T. LaScola stated that the MDAR cannot always get involved in reports, given the lack of information about the incident. MDAR has recognized that this is posing a gap in information. She also explained that as the regulatory agency, information about exposure and what that exposure means is typically vetted through it. This is due to the protocol and processes that have been followed by EPA. When decisions about use or registration of a pesticide, the entities that make those decisions look to the regulatory agency for information. Therefore, MDAR would like individuals to report incidents and then it will decide whether it can follow up on it. She noted that regardless, if it can be followed up with it will be logged.
- Questions about how a municipality could ban rodenticides
  - T. LaScola offered to answer the questions offline.
- References to eagles and owls dying due to rodenticide
- Clarification on which agency decides on banning rodenticide
  - T. LaScola stated that there is a Pesticide Board which makes recommendations to MDAR

and approves regulations. There is also a Pesticide Board Subcommittee which registers pesticides.

- N. Keleher stated that she serves on the Subcommittee and when a decision is made about the registration it is not usually a blanket decision.

### **C. TRIAGING ANIMALS IN RODENTICIDE POSIONING CASES, JANE NEWHOSE, NEWHOUSE WILDLIFE RESCUE**

J. Newhouse presented information to the Board relative to what she is witnessing as a wildlife rehab facility. She explained that while an animal may come in for an unrelated reason when blood is collected it is not clotting or clotting slowly, indicating that it could be rodenticide exposure. She also stated that rodenticide exposure is affecting immune systems in a way that is harming the animal (such as mange). She presented several different cases that she and others have worked on. She noted that MDAR was sent lab results from Cape Ann Wildlife. She noted that in a study 2012 to 2016 96% of birds of prey that were tested were found to have rodenticide in them and 66% of those were had more than one rodenticide. From years 2017 to 2019 100% birds of prey that were tested showed exposed to rodenticide and 91% of those had more than one rodenticide. She noted that she believed MDAR had enough information at this point to do something relative to rodenticides.

### **E. PESTICIDE ADVISORY COUNCIL UPDATES, BOB MANN**

B. Mann stated that the Council continued to discuss the issue of the two-year waiting period for a commercial certification license. The Council is discussing whether they want to recommend to the Board to reduce that time-period given the difficulty to find employees the current time-period becomes a burden.

### **F. CONSERVATIONIST PESTICIDE ADVISORY COUNCIL UPDATE, CLINT RICHMOND**

C. Richmond stated that the last two meetings the Council reviewed the regulations relative to pre-notification. The Council believes that the notification should be more robust and is planning on submitting recommendations to the Board.

### **G. NEW BUSINESS**

There was no new business.

### **H. ADJOURN**

**Motion:** J. Looney

**Second:** S. Ward

**Discussion:** None

**In Favor:** All

**Opposed:** None