

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS



Department of Agricultural Resources

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PESTICIDE ADVISORY COUNCIL MEETING MINUTES

Date: January 15, 2021

Zoom Meeting: <https://zoom.us/j/7991372664?pwd=N2k4d0JTSWsyMzZDeIFlemZ0cXhIZz09>

Meeting ID: 799 137 2664

Password: 292099

Call In: (646)558-8656 / 799 137 2664

Password: 292099

A. ROLL CALL

Bob Leon, General Environmental Services & New England Pest Management Association	Present
George Williams, Veseris	Present
Russ Bragg, Tree Tech	Absent
Jared DeBettencourt, Minute Man Pest Control	Present
Bob Mann, National Landscape Association of Landscape Professionals	Present

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

DOCUMENT(S) PRESENTED:

Agenda
Draft minutes from the meeting

B. REVIEW OF MINUTES:

Motion: J. Debettencourt

Second: G. Williams

In favor: All

C. ONLINE PESTICIDE EXAM

T. LaScola-Miner reviewed the process that led up to the Department beginning to get the exam online. She also provided information on how an individual can register and apply to take the exam. The pesticide exam went live at the beginning of December. There was a delay in getting the exam online due to the Department ensuring that applicators could upload their continuing education units during the renewal period. As of the date of the meeting there was 171 exam registrations and 31 exams taken. The Department has not heard a lot of feedback about the exam. T. LaScola provided a [demo video](#) to the Pesticide Advisory Council.

D. CONTINUING EDUCATION UNITS

The Department has implemented a process in which during the license renewal process the applicator is prompted to upload and/or claim the number of the CEUs that they obtained during the year. If the applicators three-year cycle has ended the year they are renewing, they must claim/upload the required amount of CEUs. If the applicators three-year cycle has not ended the year they are renewing they can claim/upload how ever many CEUs they obtained that year. The Department will then review the CEUs before moving the renewal along in the system. To date, one of the reasons for delays in approving a renewal is that the images are not clear. In these instances, an email is sent asking to resubmit the CEUs. An added benefit to this new process is that applicators will be able to upload CEUs as soon as they receive them. This will reduce the risk of applicators misplacing the CEUs.

G. Williams asked about the requirement of online CEUs for 2021. T. LaScola-Miner stated that the Department was working on virtual/online training requirements and from that point will be reviewing the policy on the CEUs requirements for 2021.

E. DEALER LICENSING

G. Williams brought up his concern with unlicensed Dealers selling Restricted Use Pesticides ("RUP") into the state. He has seen this in the past and is worried about it. He asked how enforcement can catch these issues T. LaScola-Miner stated that the online sales of pesticides are a challenge. Typically, the issue is with the sales of State Restricted Use pesticides. The Department encourage individuals report this issue if they see it, but the Department needs to be able to prove proof of sale/purchase for an enforcement action to take place. If the Department cannot prove proof of sale/purchase then it puts the company on "notice" and lets them know that they need a Dealers license. To date, the Department has worked with several larger online sellers to have the statement "Not for Sale in MA" placed on products that are State Restricted.

G. Williams asked about the Department comparing the annual use reports that are sent in. T. LaScola-Miner stated that currently the Department does not have the capability to do that based on the way the reports are sent in.

F. REVISIT PREVIOUS TOPICS (25B AND MOSQUITO/TICK CONSUMER INFORMATION BULLETIN)

25b

G. Williams would like the Department to move forward with licensing for 25b licensing. T. LaScola-Miner stated that this change would need to be added in the regulations. Once the draft regulations are final, then the draft is brought to the Pesticide Board for review and approval. Once the Pesticide Board approves the draft, a public hearing is held. After the public hearing, the Department will review and update the draft if necessary. Once completed it goes in front of the Pesticide Board again for final approval to move forward in the promulgation process.

Mosquito/Tick Consumer Information Bulletin

G. Williams indicated that he believed a specific Consumer Information Bulletin should be developed. T. LaScola-Miner stated that the Department updated the Tree/Shrub and Lawn Consumer Information Bulletin. The Department could develop a specific bulletin for mosquito/tick applications but unless there was a regulatory change it would not be required that companies use that bulletin.

G. ANTIMICROBIAL LICENSE

B. Leon explored other state requirements awhile back but was not able to find a lot of other information. T. LaScola-Miner stated that some states do require licenses for anti-microbial and have some exemptions. If a license is required the Department would need to adjust the exam, update regulations and review the timing of

implementation. The enforcement division had not received any complaints to date relative to these types of requirements.

H. RUSSEL BRAGG RESIGNATION

T. LaScola-Miner informed the Advisory Council members that Russell Bragg had submitted his resignation. She stated that she will be sending out an announcement to licensed applicators indicating that there is an opening on the Advisory Council.

I. NEW BUSINESS

There was no new business brought up.

J. PROPOSED DATE OF NEXT MEETING

The next meeting date was tentatively scheduled for March 12, 2021.

K. ADJOURN

Motion: G. Williams

Second: J. Debettencourt

In Favor: All