

# 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:** March 12, 2021

### **A. ROLL CALL**

Bob Leon, General Environmental Services & New England Pest Management Association	Present
George Williams, Veseris	Present
Russ Bragg, Tree Tech	Present
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 held on January 15, 2021

### **B. REVIEW OF MINUTES:**

**Motion:** R. Bragg  
**Second:** G. Williams  
**In favor:** All

### **C. PESTICIDE PROGRAM UPDATES, T. LASCOLA**

T.LaScola provided an updated on the pesticide program.

**Online Exam:** The online pesticide exams have been running smoothly. 390 individuals have taken the exam. There were a few individuals that were caught cheating. When that happens, the individuals exam is disqualified and the individual is prohibited from taking the exam for 6 months.

**PFAS:** PFAS was found in Anvil 10+10 ULV which is the product used during an aerial application for mosquito control. MDAR and MADEP has begun looking into the issue and is working with EPA. EPA had determined that the PFAS came from the containers.

**General Updates:** Complaints are beginning to come in. Offices are still closed, but enforcement staff is out conducting inspections and investigations.

#### **D. NEONICOTINOID RESTRICTION OVERVIEW, T. LASCOLA**

T. LaScola provided an update on the new neonicotinoid restriction. In 2018, per legislation, MDAR was directed to conduct a review of neonic and its impacts. A contractor was hired to do so. MDAR had a hearing/public comment period on the neonic review. The review and the comments were provided to the Pesticide Board Subcommittee ("Subcommittee") as part of its individual review of neonicotinoids to determine if further restrictions need to be placed on neonicotinoids.

The Subcommittee voted to make outdoor non-structural or outdoor agricultural uses state restricted. The uses included lawn care, turf, garden, trees/shrubs and ornamentals. The restriction takes place on July 1, 2022.

The Department will conduct outreach to the manufacturers and applicators throughout the next year. This will reduce the amount of "leftover" product that the retail stores, licensed applicators and homeowners will have when the classification changes.

#### **E. MOSQUITO TASK FORCE UPDATE, B. MANN**

B. Mann provided an update on what has been discussed during the meetings. He spoke about the PFAS issue. The Task Force put out a bid for a study of mosquito control in Massachusetts to be conducted. A company ERG was chosen to conduct the study.

#### **F. MOSQUITO/TICK CONSUMER INFORMATION BULLETIN, T. LASCOLA**

Consumer Information Bulletins ("CIB") are required to be handed out to customers prior to pesticide applications. There are several CIB such as: structural, lawn care, termite etc. When the mosquito/tick industry began to grow, MDAR updated the existing CIB to include those application types. During previous Advisory Council meetings, G. Williams suggested mosquito/tick have its own CIB. MDAR has developed draft CIB. This CIB cannot be required to be handed out as it is not in the current regulations. MDAR will recommend companies use the CIB in addition to the required ones.

T. LaScola asked the Advisory Council members reach out to her if they have any comments/suggestions on the draft.

#### **G. LAWN CARE SIGN POSTING BEST MANAGEMENT PRACTICES, T. LASCOLA**

At a recent Pesticide Board ("Board") meeting an individual had some concerns relative to lawn care sign posting and notification in his condominium complex. The Board suggested that MDAR develop some best management practices that apply to condominium complexes since the regulations do not specifically address those settings. MDAR drafted a BMP and asked that the Advisory Council members provide comments to her.

#### **H. INACCESSIBLE AREAS, MICHAEL MCCLEAN**

MDAR is looking for information as to what the industry considers inaccessible and accessible. The intent is for MDAR to clarify what is inaccessible/accessible through a document so that the regulated industry has a clearer definition. There was discussion between the members and M. McClean on what they are seeing in the field. Overall, it was determined that situations are different. Appliances can be moved and therefore may be considered accessible. G. Williams also mentioned that there is a difference between baits and tracking powder.

#### **I. NEW BUSINESS**

G. Williams brought up his concern with the new online CEU requirements. T. LaScola explained that MDAR looked at the different types of virtual types of trainings and developed requirements on what the providers of these trainings needed to do. Additionally, MDAR updated its online CEU requirements. The new policy defines the different types of trainings into four types of trainings. An applicator can obtain all the CEUs online but only have can be obtained from on demand training.

G. Williams asked when there would be a replacement for R. Braggs seat on the Advisory Council. T. LaScola stated that she has sent out a notice about the vacant seat and has received applications that she is going through.

A member of the public asked if the Advisory Council would consider recommending developing a policy stating that PFAS as an active or inactive ingredient as a contaminant. T. LaScola indicated that this may be better suited for the Subcommittee as it is relative to pesticide product

**K. ADJOURN**

**Motion:** R. Bragg

**Second:** G. William

**In Favor:** All