

Maine Board of Pesticides Control: 2020 Recap

BY HEATHER SPALDING

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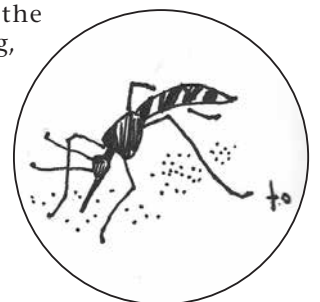
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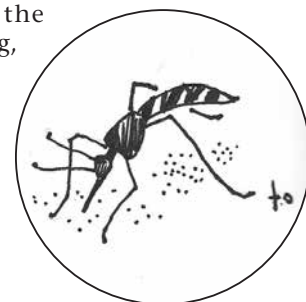
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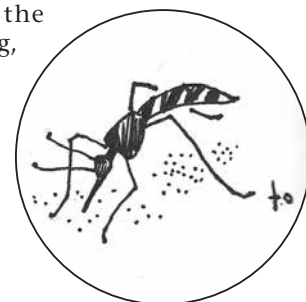
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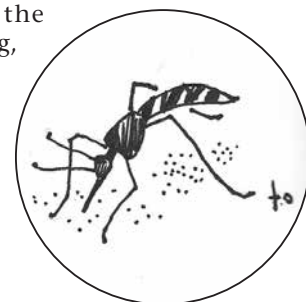
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The board continued the discussion in July to figure out how to update the notification process to facilitate communication. Patterson reported that BPC staff had divided approaches for streamlining the notification process into two groups: approaches best addressed through policy and those that may be accomplished through staff efforts. Examples relevant to non-agricultural applications included: waiving the fee for the urban notification registry; making the inclusion of names for adjacent landowners optional; identifying addresses only (since owners can often change); producing doorhangers that could be used by applicators or those seeking notification, as well as postcards that could be mailed to facilitate notification; developing a notification form on the BPC website; sending email rather than a letter regarding notification; and developing notification-specific training for applicators. Patterson said that the door hangers and postcards could also apply to agricultural applications to help facilitate communication between farmers and their neighbors.

In September, Patterson presented a draft policy, reflecting changes from the discussion in July, as well as

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Maine Board of Pesticides Control: 2020 Recap

BY HEATHER SPALDING

In 2020 the Maine Board of Pesticides (BPC) discussed pesticide residues in medical marijuana, treatment of browntail moth near marine waters, spray notification rules, and water quality monitoring during a pandemic, in addition to the board's regular business pertaining to funding and finances, variances and special requests for pesticide uses, consent agreements and more.

The BPC, Maine's lead agency for pesticide oversight, is attached to the Maine Department of Agriculture, Conservation and Forestry (DACF). Its seven-member public board (see sidebar) makes policy decisions. This report, while not comprehensive in nature, covers all 2020 BPC meetings. Complete documents relating to BPC meetings are posted at maine.gov. MOFGA posts time-sensitive action alerts related to the BPC at mofga.org, in our weekly email bulletin (sign up on our website), and on our social media pages. The public can contact the BPC at 207-287-2731 or pesticides@maine.gov.

Heather Spalding, MOFGA's deputy director and policy director, attends BPC meetings to represent MOFGA's views. This summary is compiled from notes taken at meetings and from official BPC minutes.

Pesticide Residues in Medical Marijuana

Board member John Jemison submitted a letter of concern regarding bifenthrin and imidacloprid pesticide residues on medical marijuana samples, grown without the use of these chemicals. Jemison noted that Maine has had an active medical marijuana program for 20 years and that growers supplying the market provide quality products. Tax revenue generated by medical marijuana is significant, closely following revenue generated by lobster and potatoes, and will increase with recreational use sales and the federal legalization of hemp (marijuana plants with less than 0.3% THC).

Jemison contacted an extension agent with expertise in compost management who explained that, since compost could be sold as a finished product within a month of initiating the composting process, imidacloprid could possibly be present in compost, but not bifenthrin.

Jemison asked if BPC staff ever test for the presence of 25B products (those not required to have an EPA registration number as they contain active and inert ingredients considered minimum risk under the Federal Insecticide Fungicide and Rodenticide Act). Jemison hoped there might be resources to test compost samples for any pesticides that could be absorbed by plants.

BPC director Megan Patterson acknowledged challenges exist for products approved for organic management that could be adulterated with prohibited substances. BPC counsel Mark Randlett said that it was complicated for BPC to test due to legality issues around federally banned substances. A public hearing would need to take place.

BPC staff reached out to the Office of Marijuana Policy (OMP) concerning pesticide testing. David Heidrich, the director of engagement and community outreach at the OMP, noted that testing for pesticide and fertilizer residues was mandatory and that the vast majority of these materials were prohibited for use on marijuana. However, the OMB was currently waiving testing requirements due to capacity issues (including not having enough licensed testing facilities). The OMP plans to prioritize increasing testing capacity before making testing mandatory. The issues could be remedied by the end of 2021.

Patterson clarified that while the board had authority regarding pesticide use for cannabis production, the USDA had authority over post-harvest residues. Testing would be required before product was sent to a manufacturer and then again each time the product was altered or moved from one licensee to another. Heidrich described a track-and-trace system that includes a certified identification tag, which accompanies each plant throughout its life cycle until harvest. The identification tag would then be included when a batch was submitted for testing. If a product failed testing, it could move to a manufacturer, but it would be destroyed if no method of remediation were available.

Jemison reiterated concerns about the possibility of systemic pesticide contamination through compost and asked if the OMP had suggestions. Board members and Heidrich agreed that it would be helpful to share information to see if pesticide contamination was a recurring problem. Jemison suggested that the board consider testing for pesticide residues in fertilizer for organic growers across the board (cannabis growers included). The board wanted more information before committing to a testing program. The creation of an advisory committee for OMP was discussed in order to better understand challenges, like the pesticide residues.

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