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**MAINE BOARD OF PESTICIDES CONTROL INTERIM
ENFORCEMENT POLICY TO EXEMPT HIGH SCHOOL
AGRICULTURAL AND HORTICULTURAL EDUCATION
PROGRAMS FROM CERTAIN REQUIREMENTS IN CMR 01-026,
CHAPTER 27**

Adopted August 28, 2009

BACKGROUND

Many school farm and greenhouse IPM programs need more flexibility to use pesticides when pest populations exceed economic thresholds. The five-day notification period required by Chapter 27 often constrains their ability to make timely applications. Since very few students, staff or parents visit the school agricultural facilities, the Board agreed at its July 10, 2009, meeting that the public interest is best served by adopting an interim enforcement policy which provides schools greater flexibility.

The major problems posed by Chapter 27 for these operations are the five-day notification requirement for non-exempt pesticide applications in Section 4(B) and the limitations on indoor applications under Section 5(D).

This policy still allows for notification of the staff and parents or guardians of students involved in the classes that use these areas prior to pesticide applications and removes the limits on pesticides that can be used inside greenhouses. It also requires that all students entering these areas be trained as Agricultural Workers as defined by the EPA Worker Protection Standard.

POLICY

The Board may exercise enforcement discretion for CMR 01-026 Chapter 27, Section 4(B) and Section 5(D) in areas of high schools or career and technical education centers utilized for agricultural or horticultural education, such as, but not limited to, greenhouses, nursery plots or agricultural fields. Greenhouses must not be attached to other school buildings and fields or nursery plots must not be contiguous with other school grounds.

In lieu of these requirements, school staff and parents or guardians of students who enter these areas must be specifically notified about the potential for pesticide applications to occur in the above-mentioned areas. Additionally, the posting requirements in Section 4(C)3 remain in force.

To further mitigate the potential pesticide exposure risks, all students that enter these areas must be trained as Agricultural Workers according to the EPA Worker Protection Standard.