
From: Jon Olson [mailto:JOlson@mainefarmbureau.com]
Sent: Tuesday, August 24, 2010 4:28 PM
To: Jennings, Henry
Subject: Comments to the BPC Working Paper: Development of a Comprehensive Notification Registry

August 24, 2010

Henry Jennings, Executive Director
Maine Board of Pesticides Control
State House Station #28
Augusta, ME 04333

RE: BPC Working Paper: Development of a Comprehensive Notification Registry

Dear Henry:

Maine Farm Bureau, the state's largest general farm organization representing over 2,000 Maine farmers, wishes to make the following comments to the Board of Pesticides Control working paper for the development of a comprehensive notification registry. But before we comment on the working paper, we must state that before LD 1293 and LD 1547 were enacted, Maine had an effective and successful notification provision in Chapter 28. Under this rule, anyone within 500 feet of an agricultural pesticide spray area could contact the farmer about the pesticides used and the spraying schedule. This direct communication between a farmer and his neighbor has worked extremely well. It's hard to improve on this type of communication – neighbors talking to neighbors.

Maine Farm Bureau is very much opposed to the BPC's proposal that the registry will only cover applications made by commercial agricultural producers and commercial applications. As we have testified before the BPC, it is our position that the comprehensive notification registry needs to be inclusive. All pest control applicators, including homeowners, should have the same expectation of notifying their neighbors as any other pest control applicator.

We attended each of the four public listening sessions the BPC held for input on developing a comprehensive notification registry. Not once did anyone object to homeowners being included. In fact, at the listening session in Portland, several homeowners stated they want to know when their neighbors applied pesticides on their lawns. The objection only comes from the BPC staff. They indicate that including homeowners would be extremely difficult and

9/22/2010

costly to administer. They also complain that the legislature did not appropriate any extra money or staff for the development and administration of the registry. If that is the case, then we suggest the BPC go to the legislature and ask for the money.

We suggest that the participants of the registry sign up annually, with the expiration date of December 31. It doesn't seem to us to be a burden for participants to do this nor for the staff to email to the participants for a renewal notice. This keeps the registry updated with current email addresses and to ensure continued participation. We do this with many of our publications and services to our members. We ask them once a year if they would like to have these continued. This has work well for us. It helps keeps our database updated. Often people move away or die or perhaps no longer need the services. This hasn't been any burden on our staff. Our staff is smaller than the BPC, and we communicate with more people than are on the current registry.

We suggest that the BPC give careful consideration for the logistics for the sign-up and distribution of the registry. It's proposed that it will be Internet-based in order to keep administration manageable. We want to ensure that it's the BPC and not the applicators of pesticides to be responsible for this management by ensuring the email addresses are correct and current. If the notice to those on the registry is to be done by the Internet, there are certain issues that need to be resolved. What happens if the wrong email address is given? What happens if notification is given, but the registrant does not look at his email before the application occurs? What happens if the email becomes part of spam and is placed in the grey file? Will the applicator who tries to notify the registrant in good faith be held liable if the registrant does not receive the information before pesticide application?

Finally, we would like to comment on the BPC proposal on signage. We have testified that we are opposed to any signage for pesticide application. Rather than posting signs, farmers would rather spend the time in communicating directly with their neighbors about what they are currently doing. We can not see how requiring a single sign at an aerial application site serves any purpose. We suggest there not be any signage for any pesticide application. Signage indicates to many that the applicant is doing something harmful, when in fact the applications of pesticides are an approved and legal practice.

Thank you for your attention. I'll look forward to seeing you Friday.

Sincerely,

Jon Olson
Executive Secretary

-----Original Message-----

From: Jeremy Robichaud [mailto:katahdin40@yahoo.com]

Sent: Monday, August 30, 2010 8:37 AM

To: Jennings, Henry

Subject: Public Comment in Support of A Comprehensive Pesticides Registry and Notification

Dear Mr. Jennings,

I am writing regarding the BPC's public process around pesticides notification rules and registries.

Pesticides are toxic chemicals, which have been linked to several serious diseases, like Parkinson's and Childhood Leukemia.

The public has the right to know about toxic chemicals where they live. I feel that a quarter mile is a reasonable notification distance.

I also believe that the requirement that all aerial pesticide applicators notify the public about spraying, which was authorized in 2009, should be restored immediately! It should not matter whether the sprayer is a farmer or golf club owner!!

Thank you for your attention in this matter.

Jeremy Robichaud
150 Richardson Road
Orrington, ME 04474