Secretary of Agriculture

Joe Bartenfelder

• Wife Robin with four children
• Owns farms in Baltimore Co. & Caroline Co.
• Produces vegetable crops since 1978
• 32 years of legislative experience
UPDATE

LEGISLATIVE
Senate Bill 163
Hearing: February 17, 2015

• Requires labeling of certain seeds, material, or plants sold within the State if they have been treated with a neonicotinoid pesticide.

“Warning: Bees are essential to many agricultural crops. This product has been treated with neonicotinoid pesticides, found to be a major contributor to bee deaths and the depletion of the bee population.”
Senate Bill 163
Hearing: February 17, 2015

• Prohibits the sale of neonicotinoid pesticides unless the person also sells a restricted-use pesticide.

• Prohibits neonicotinoid use unless they are a certified applicator, veterinarian, or farmer using the product for agricultural purposes.
House Bill 995

Lawn Care Pesticides – Child Care Centers, Schools, and Recreation Facilities - Prohibition

• Prohibits a person from applying a lawn care pesticide on the grounds of certain:
  - Child care centers
  - Schools
  - Recreational centers
  - Recreational fields

• If deemed an emergency (threat to human health) application may be made
During the last Legislative Session House Bill 621 and Senate Bill 700 Were Passed

Both Bills Increased the pesticide product registration fees from $100 to $110; and mandates that at least $10 of each annual registration fee and each terminal registration fee collected by the Department of Agriculture may be used only for activities of the Department relating to the collection, analysis, and reporting of data on pesticide use in the State.
New Exam Location
Cambridge, Maryland

As of February 2015 commercial pesticide applicator exam sessions will be held in Dorchester County at the:

Eastern Shore Hospital Center
5262 Woods Road
Cambridge, MD 21613
SENSITIVE CROP LOCATOR

Pesticide Regulation Web Page

Pesticide Regulation

The Pesticide Regulation Section administers Maryland’s Pesticide Applicator’s Law, approves training courses in the handling, storage and use of pesticides, conducts examinations to determine that pesticide applicators are competent to follow prescribed pest control practices, enforces federal laws on the sale and use of pesticides, and investigates pesticide accidents or incidents and consumer complaints on pesticide misuse.

To find out more, call Pesticide Regulation at 410-841-5710.
Maryland Pesticide Sensitive Crops Locator
Neonicotinoid Pollinator Protection

Last year EPA began requiring the manufacturers of neonicotinoid insecticides that are labeled for outdoor foliar applications (except granules) to incorporate new labeling to minimize exposure to bees and other pollinators.

This includes:
- Clothianidin
- Dinotefuran
- Imidacloprid
- Thiamethoxam

New label Icon for pollinator protection
EPA has tasked all state pesticide regulatory programs with developing Pollinator Protection Plans and Best Management Practices for Pollinators.

The Maryland Department of Agriculture is forming a Pollinator Workgroup, made up of various stakeholders, to help develop a Maryland Pollinator Protection Plan.
Neonicotinoid Pollinator Protection

The label changes include:

- A pollinator protection box
- New pollinator protection language added to the Directions for Use
- A universal icon
- All labels must now use the word “foraging” to reference bee activity

THE NEW EPA BEE ADVISORY BOX
On EPA's new and strengthened pesticide label to protect pollinators

PROTECTION OF POLLINATORS

APPLICATION RESTRICTIONS EXIST FOR THIS PRODUCT BECAUSE OF RISK TO BEES AND OTHER INSECT POLLINATORS. FOLLOW APPLICATION RESTRICTIONS FOUND IN THE DIRECTIONS FOR USE TO PROTECT POLLINATORS.

Look for the bee hazard icon in the Directions for Use for each application site for specific use restrictions and instructions to protect bees and other insect pollinators.

This product can kill bees and other insect pollinators. Bees and other insect pollinators will forage on plants when they flower, nectar, pollen, or produce nectar.

Bees and other insect pollinators can be exposed to the active form:
- Direct contact during the application or contact with contaminated surfaces after the application of the product.
- Ingestion of food, water, or pollen when the product is applied as a soil treatment, soil drench, or spray application. Always read and follow label directions.

When Using This Product Take Steps To:
- Minimize exposure of bees to this product and other honey pollinators when they are foraging at pollinator attractive plants around the application site.
- Minimize drift of this product on or into bees or to alfalfa pollinator forage habitats. Check drift of this product into forage habitats or in high winds prior to applying.

Information on Protecting Bees and Other Insect Pollinators can be found at the Pesticide Fact Sheet and Bee Protection Fact Sheets, which are available online at:
http://www.epa.gov/NEPAP/pesticides/pesticides_for_pollinators.html

Read EPA's new and strengthened label requirements: http://go.usa.gov/JHH4
Pollinator Issues

Also, pay attention to the Environmental Hazard statements regarding bees when using insecticides other than the neonicatinoid products.

ENVIRONMENTAL HAZARDS
Do not apply directly to water, areas where surface water is present or to intertidal areas below the mean high water mark. Do not contaminate water when disposing of equipment washwaters.

This product is highly toxic to bees exposed to direct treatment or residues on blooming crops or weeds. Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area.

This product is toxic to wildlife and highly toxic to aquatic invertebrates.

This chemical demonstrates the properties and characteristics associated with chemicals detected in ground water. The use of this chemical in areas where soils are permeable, particularly where the water table is shallow, may result in groundwater contamination.
ENFORCEMENT SUMMARY

There's an inspector at the gate
FY 14 ROUTINE BUSINESS INSPECTIONS
Violations Most Frequently Cited

Disposal
Failure to rinse jugs

Storage
Secured during transport
Maintaining a clean storage area

Employee Registration
Failure to register in 30 days

Records
Location of application
2014 Complaint Investigations By Category

Formal Complaints: 33
Wood Destroying Insect Inspections: 7
Agricultural: 6
Structural: 9
Ornamental & Turf: 7
Public Health: 2
Right of Way: 1
Unlicensed: 1
Neighbor vs Neighbor: 7

July 1, 2013 thru June 30, 2014
2014 Agricultural Investigations
By Applicator Type

- Other Complaints: 34
- Agricultural Complaints: 6

- Private Applicator: 2
- Commercial Applicator: 4
2014 Agricultural Investigations
Type of Complaint

- Other Complaints: 34
- Agricultural Complaints - Drift: 6
2014 Agricultural Investigations Outcomes

SIX AG COMPLAINT INVESTIGATIONS

Violation Detected 1

No Violation Detected 3

Investigation Results Pending 2
EPA Proposed Changes To The Worker Protection Standards

PESTICIDE SAFTEY TRAINING - CURRENT PROTECTION –Train workers and handlers every 5 years.

PROPOSED PROTECTION
Train workers and handlers every year. Stricter qualifications for trainers of workers. Expand training content to include information on reducing take-home exposure. Workers and handlers would be trained on reducing take-home exposure, the hazards from residues on clothing, and warned not to take containers home.

Reduce “grace period” to 2 days before full WPS training is required, expand the content of the abbreviate, pre-”grace period” training, and require distribution of information sheet listing training points. Require recordkeeping of worker training for 2 years.
EPA Proposed Changes To The Worker Protection Standards

PERSONAL PROTECTIVE EQUIPMENT (PPE) RESPIRATORS AND CLOSED SYSTEMS

CURRENT PROTECTION – CURRENT PROTECTION - employers must provide the respirator listed on the pesticide labeling and ensure it fits. Recordkeeping in not required

PROPOSED PROTECTION

Adopt the OSHA standard for respirators: fit test, medical evaluation, and training. Require recordkeeping to document completion of these requirements.
HAZARD COMMUNICATIONS - CURRENT PROTECTION — No requirement to make safety information available to authorized representative. Recordkeeping is not required, except application-specific information must be posted at a central display until 30 days after the REI expires.

PROPOSED PROTECTION
Require employer to maintain and make available to workers, handlers, or their authorized representatives application-specific information, labeling and Safety Data Sheets (SDS). Retain information for 2 years. Remove burdensome requirement to post application-specific information at central display.
DEFINITIONS – Currently the WPS definitions does not include family members such as grandparents, grandchildren and in-laws

PROPOSED - Expand the definition of “Immediate family’ to more accurately reflect farm families that qualify for the exemption from most WPA requirement.
Is this service container appropriate for storing Finale herbicide?
C. Pesticide Service Containers.

(1) Pesticide Concentrate. If pesticide concentrate is temporarily stored or transported, its container shall have a securely attached label with the following information:

(a) Common name, if available, or chemical name of pesticide;

(b) U.S. EPA registration number;

(c) Signal word—Danger, Warning, or Caution; and

(d) Percent concentration.

Roundup Pro Max
EPA REG NO. 524-579
Caution
48.7% Glyphosate
Is an empty pesticide jug the appropriate container for water?

**CONTAINER HANDLING:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available, or puncture and dispose of in a sanitary landfill, or by incineration, or, if allowed by state and local authorities, by burning. If burned, stay out of smoke.

Triple rinse or pressure rinse container (or equivalent) promptly after emptying.

Triple rinse as follows: Empty the remaining contents into application equipment or a mix tank and drain for 10 seconds after the flow begins to drip. Fill the container 1/4 full with water and recap. Shake for 10 seconds. Pour rinsate into application equipment or a mix tank or store rinsate for later use or disposal. Drain for 10 seconds after the flow begins to drip. Repeat this procedure two more times.

**OR**

Pressure rinse as follows: Empty the remaining contents into application equipment or a mix tank and continue to drain for 10 seconds after the flow begins to drip. Hold container upside down over application equipment or mix tank or collect rinsate for later use or disposal. Insert pressure rinsing nozzle in the side of the container, and rinse at about 40 PSI for at least 30 seconds. Drain for 10 seconds after the flow begins to drip.
Pesticide Storage Area / Sleeping Quarters
When Using A Pesticide Under A Section 24’c (Special Local Need) or Section 18 (Emergency)

The Applicator Must Have The Supplemental Label In Their Possession
Smart phones can be used for having the label on site.

However, there must be an app on the phone to go directly to the label site. A copy of the label must be made available immediately.

Note: If there is no cell coverage at the application site either a pdf copy of the label has to be on the phone or a hard copy of the label has to be available.
In 2014 MDA recycled 32 tons (64,050 containers) of empty plastic pesticide containers from 23 sites.
Your child is being eaten by a camel. Do you...

a) save your child or

b) take a photo.
CAUTION
THIS MACHINE
HAS NO BRAIN
USE YOUR OWN