

Standards for Indoor Pesticide Applications and Notification Requirements

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Who is the Board of Pesticides Control?

- 7 Public members appointed by the Governor
 - 1 commercial applicator (currently a PMP)
 - 1 medical doctor
 - 1 private applicator (commodity grower)
 - 1 agronomist or entomologist from U-Maine
 - 1 forestry specialist
 - 2 general public members with demonstrated interest in environmental protection
- Attached to the Department of Agriculture



Why a new rule?

- Indoor pesticide applications pose a higher risk of exposure
- Some people are very sensitive to pesticide exposure
- People should know when applications will occur
- Practicing IPM will reduce pest risks

Environmental Science & Technology Online News
http://pubs.acs.org/doi/10.1021/es061011a

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Science News - September 6, 2006

Pesticides lurk in daycare centers

The first national study to examine pesticide exposure in daycare centers finds some mixed results.

Millions of children get exposed to pesticides while attending daycare, concludes the first nationwide study of insecticide residues in U.S. daycare centers. The study, published today on *ES&T's* Research ASAP website (DOI: [10.1021/es061011a](https://doi.org/10.1021/es061011a)), found low levels of organophosphates and pyrethroid pesticides. Although the health impacts are unclear, the results raise questions about the risks children face from these chemicals.



More than 13 million children attend day care in the U.S.

"We found at least one pesticide in every daycare center," says lead author Nicole Tulve, a research scientist with the U.S. EPA's National Exposure Research Laboratory. Tulve says that the concentrations were quite low. She did not comment on whether these concentrations might be harmful for some, but no health advisories or national standards currently exist for such exposures.



Bed bugs are about 1/4 inch long and their color ranges from dark red to almost black (courtesy of Dr. Anne Potter, University of Kentucky).



Yellow jacket

Some pests pose risks

- **Food Contamination**
- **Direct Toxicity:** stinging insects, poisonous plants
- **Spread Disease:** Salmonella, Hantavirus, Lyme disease, encephalitis
- **Allergies:** asthma, rashes, etc.
- **Property Damage:** structures, stored goods, etc.



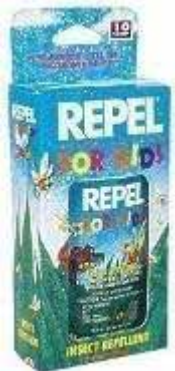
Why be concerned about pesticide use indoors?

All Pesticides
May Pose Risk!



- **Children, the elderly and infirm are more sensitive** to chemical exposure than adults
- **Immediate Effects:** Headache, nausea
- **Delayed Effects:** Tumors, cancer, birth defects, blood and nervous system disorders
- **Allergic Effects:** Asthma and skin, eye and nose irritation

What are pesticides?



- Insect sprays, granules, dusts, etc.: Raid, Safer Soap
- **Weed killers:** Round-Up, weed&feed' lawn products
- **Plant disease protectants:** rose sprays
- **Ant Cups**
- **Rat/mouse baits:** d-con
- **Insect repellents**
- **Mold/mildew products**
- **Disinfectants & bleaches:** *Lysol*, pine oil
- **These and More!**





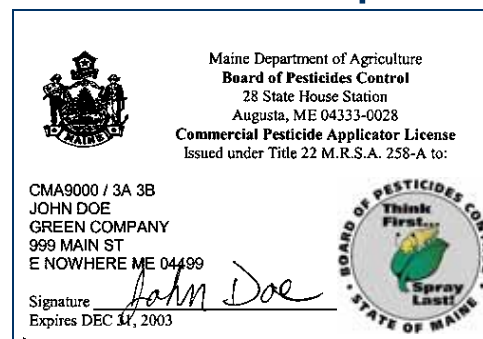
State pesticide regulations

Purpose: Manage pests to protect health, environment and property while minimizing pesticide exposure.

1. **Licensing** (Chapters 10 & 31)
2. **Integrated Pest Management** (Chapter 26)

State pesticide regulations

- **Licensing:** Commercial Pesticide Applicator license is required when a person applies any pesticide:
 - to areas open to the public, or
 - other peoples' property (rental units)
 - the applicator is a government or government subsidized employee
- With a few exceptions...



What pesticides can unlicensed persons use in these settings?

- Disinfectants used in routine cleaning
- Emergency stinging insect control
- Repellants for personal protection
- Non-powered application of wood preservative and other pesticide-containing paints/stains



No recommendations or endorsements intended

What applications require a licensed applicator in these settings?

- Indoor pest control such as:
 - Ant cups, baits or sprays
 - Roach baits or sprays
 - Mouse or rat poisons
- Duct cleaning & mold remediation



What is Integrated Pest Management (IPM)

- Utilizes regular monitoring
- Employs many tactics
 - Exclusion,
 - Traps,
 - Sanitation,
 - Education &
 - Pesticides as a last resort



When pesticides are necessary

- Applications should be target-specific
- Applications should be low impact
 - Very low toxicity and/or very low exposure
- Risk = Toxicity x Exposure
- Should not be applied on a predetermined schedule
- Should only be used where there is a documented infestation or a history of infestation



No recommendations or endorsements intended

Why Integrated Pest Management (IPM)

- More effective
- More efficient
- Lower cost in the long term
- Minimizes reliance on pesticides



What's required by this rule?

- Notification
- IPM
- Risk Minimization
- No application allowed if tenant is opposed

Date Posted or Provided:	Notice of Pesticide Application
Person Providing Notice:	
Pesticides May Be Applied in this Building as Part of an Integrated Pest Management Program on (date) _____	
You may request further information about the use of pesticides in this building by contacting the pesticide applicator:	
Company Name:	
Phone:	
	For information on pesticides and regulations contact the Maine Board of Pesticides Control at 287-2731 or visit www.thinkfirstspraylast.org



Exemption from entire chapter

- Stinging insect control with Ready-to-Use product
- Routine cleaning with antimicrobials
- Application of paints and stains
- Application by a resident to his or her own residence
- Commercial application to a personal residence when contracted by the resident
- Indoor application of pesticides injected into closed systems (cooling tower, slime control)

Exemption from notification due to reduced exposure potential

- Application to areas **not accessible** to residents, employees or children using:
 - Baits,
 - Gels,
 - Pastes,
 - Dusts, or
 - Granules



No recommendations or endorsements intended

Board-approved notice form

Date Posted or Provided: _____ Person Providing Notice: _____	<h2>Notice of Pesticide Application</h2>
<p>Pesticides May Be Applied in this Building as Part of an Integrated Pest Management Program on (date) _____</p> <p>You may request further information about the use of pesticides in this building by contacting the pesticide applicator:</p>	
Company Name:	
Phone:	
	<p>For information on pesticides and regulations contact the Maine Board of Pesticides Control at 287-2731 or visit www.thinkfirstspraylast.org</p>

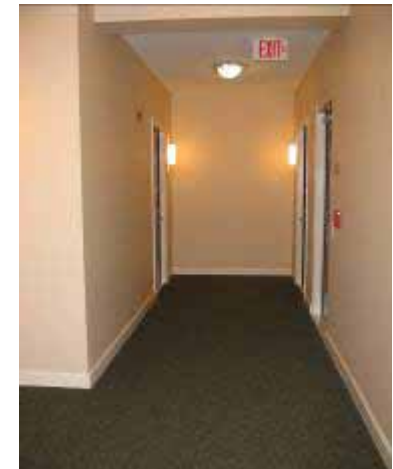
Notice to Residents

- When treating inside a rented residence (apartment, condo, etc.)
- At least 24 hours but not more than 7 days in advance of a non-exempt application
- Must provide a Board-approved written notice directly to each resident



Notice to Residents

- When treating common areas in rental buildings (apartments, condos, etc.)
- At least 24 hours but not more than 7 days in advance of a non-exempt application
- Must post the Board-approved written notice



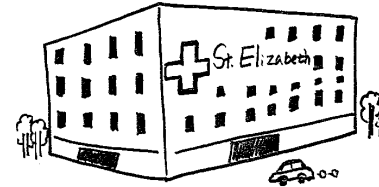
Notice to residents

- Applicator may instruct the landlord or building manager to provide the notice
- Prior to application the applicator must confirm that proper notice has been given

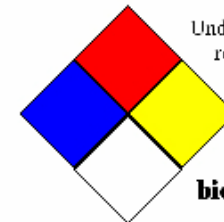


Notice to employees

- When treating an agency, business or institution
- At least 24 hours but not more than 7 days in advance of a non-exempt application
- Must post or caused to be posted the Board approved notice in a conspicuous place or places where notices to employees are customarily posted



Employees' Right to Know



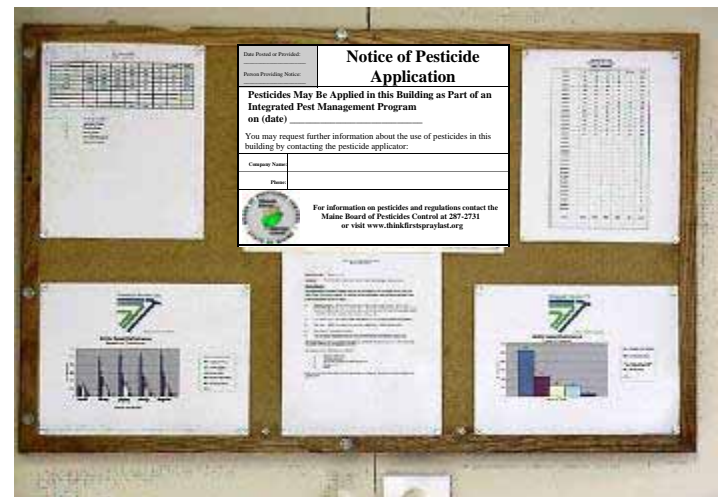
Under State law, any employee may request information about these materials in the workplace.

- Toxic substances
- Chemical and biological agents

You have a right to know

Notice to employees

- Applicator may instruct the building manager, person requesting the application, or another responsible individual to provide the notice
- Prior to application the applicator must confirm that proper notice has been given



Notice to parents or guardians

- When treating a licensed childcare facility or nursery school
- At least 24 hours but not more than 7 days in advance of a non-exempt application
- Must provide Board-approved written notice to parents or guardians of currently enrolled children



Notice to parents or guardians

- Applicator may instruct the manager of the daycare or nursery to provide the notice
- Prior to application the applicator must confirm that proper notice has been given



Requests for additional information

- Residents, employees, parents or guardians can request additional information regarding the impending application
- Such requests do not delay the application

FMI: FOR MORE INFORMATION

Additional information

- Applicator must provide what is requested including as applicable:
 - Trade name and EPA Reg. No. of the pesticide(s)
 - Approximate date & time of application
 - Location of the application
 - Re-entry time listed on the label
 - Name and phone number of contact person
 - Copy of pesticide label or MSDS



IPM

- Must use appropriate elements of IPM
- Must minimize exposure and human risk to the maximum extent practicable using currently available technology
- Must identify pest conducive-conditions



IPM

- Must provide the client a written evaluation of pest-conducive conditions, and
- Provide specific recommendations for practical non-pesticide control measures



IPM

- Prior to any pesticide application
 - Must identify the pest specifically, and
 - Evaluate the infestation severity and associated damage except when:
 - There is a history of infestation and conducive conditions, or
 - There is a public health pest designated by the Board, and
 - Baits, gels, pastes, granules or crack & crevice treatments will be done



Risk minimization

- Applicators must
 - Consider product toxicity
 - Choose low risk products
 - Based on product efficacy,
 - Exposure potential,
 - Label signal word,
 - MSDS, and
 - Ventilation requirements



No recommendation or endorsement intended

Risk minimization

- May only use low risk materials when a “room” is occupied
- Prior to application applicators must consider:
 - Principal use of a room
 - Likelihood people or pets may come into contact with pesticides
 - Practical need to ventilate prior to re-entry
 - Whether the ventilation system needs to be shut off



Tenant opposition to treatment

- Except where a public health or code enforcement official determines a need for immediate treatment...
- a pesticide application may not be done when a tenant is opposed to the treatment unless...
- non-pesticide control measures have been tried and fail, and
- the pest poses health risks or significant property damage and threatens to spread to other parts of the building



APPROVED

Follow most restrictive rules

- Pesticide labels may be more restrictive than this regulation
- Other regulations may also be more restrictive
- Always follow the most restrictive rules

**The Label
is the Law!**



Maine Food Code

FMI

- Contact me 287-7545,
gary.fish@maine.gov
- Go to our web site



http://www.maine.gov/agriculture/pesticides/chapter_26/index.htm

Summary

- Notification only required for higher risk applications
- Must follow IPM
- Must not do treatment when a tenant opposes it

Summary

Notice Requirements (higher risk treatments)

Treatment site	Notice type
Inside a residence	Individual notice to tenants
Common areas of residence	Posted notice
Workplaces	Posted notice
Child Care / Nursery School	Individual notice to parents / guardians