



# PESTICIDE APPLICATORS NEWSLETTER



October, 2022 Maryland Department of Agriculture, Pesticide Regulation Section



## COMINGS AND GOINGS

It's been a while since our last newsletter. The Pesticide Regulation Section (PRS) has seen many changes since then. For those that have been around for a while, Mary Ellen Setting, Dennis Howard, Ed Crow, Ellis Tinsley and Petey Councell have all retired. Rob Hofstetter, who began his career with PRS 22 years ago, has been promoted to Section Chief. Inspector Manager, Kelly Love, who coordinates the Section's Enforcement Program, has been with the Department for 8 years, nearly 5 of those with PRS. Supervising Inspector Berhanu Argaw (Southern MD) joined us in 2009; Inspector Samarakoon Yapa (Mont/Howard Counties) joined the Section in 2008; Inspector David Parks (Eastern Shore) in 2017; and Inspector Braeden Harpool (Western MD) has been with us since 2019. We have just brought on two new inspectors, Stephen Goff (Central Maryland) and Sean Stacey (Lower Shore). Dr. Shweta Sharma, joined us last year and coordinates the Section's Licensing, Certification and Training Program.

Over the last several years we have lost several permanent positions and had to move some things around to keep up. This includes one of our full time administrative staff. Jess Koontz manages our admin staff and has been with us for several years.

Likewise, our Office Supervisor, Hannah Peete, who many of you have spoken with over the years, rounds out our current admin staff. We have a vacancy for an Office Secretary that should be filled soon.

## ENFORCEMENT ADVISORIES

Enforcement Advisories are posted on our website and are paraphrased below. For the full advisories please visit our [website](#).

The Maryland Department of Agriculture is reminding all farmers, applicators, and retailers that the use and sale of carbofuran (commonly known as Furadan) is **ILLEGAL** under state and federal law. Violations of Maryland's Pesticide Applicator Law are subject to a fine of up to \$25,000 and/or prison. Violators may also be subject to further penalties from the U.S. Environmental Protection Agency (EPA).

During the 2021 Legislative Session, the Maryland Legislature amended the Pollinator Protection Act of 2016. Stating, effective October 1, 2021, a person that sells a neonicotinoid pesticide may sell a neonicotinoid pesticide only to a certified Applicator or a Farmer, and shall store each neonicotinoid pesticide in a manner that is inaccessible to a customer without the assistance from the person or employee of the person.

As of December 31, 2021, **ALL** uses of chlorpyrifos have been canceled in Maryland. See Section 15.05.01.02 E. [here](#).

## ADVISORIES CONTINUED...

The following was shared with the Maryland State Pest Control Association members:

The Department's Pesticide Regulation Section has recently received a copy of a WDI Inspection Report (Form MD-1) that has been altered. Please be advised, Section 15.05.01.14 B. of the Regulations Pertaining to the Pesticide Applicator's Law requires Form MD-1 to be completed in conjunction with all WDI inspections performed as part of a real estate transaction. This form is available on our website and cannot be altered. The Pesticide Regulation Section has not adopted the changes made by the National Pest Management Association to Form NPMA-33. The updated NPMA form has been under review by PRS Staff. While PRS may include some of the changes, we will not be adopting the updated form as written.

Again, all WDI inspections performed as part of a real estate transaction requires the Inspector/Technician to use Form MD-1. Failure to use Form MD-1 is a violation of the Regulations and will result in an enforcement action. Using an altered MD-1 is considered false and fraudulent and will result in an automatic civil penalty and could result in the suspension or revocation of your Maryland Pesticide Business License, Applicator/Consultant certificate or Registered Employee status.

## PESTICIDE DISPOSAL PROGRAM UPDATE

In 2021 MDA sponsored a unwanted and/or unusable pesticide disposal program for the first time since 2011. The collection wrapped-up in August of this year with more than 44,000 lbs of pesticide collected from 38 participants.

We are currently evaluating the program and will hopefully be able to offer it again soon. Information about the program can be found on our website at <https://mda.maryland.gov/plants-pests/Pages/Pesticide-Disposal-Program.aspx>



## PESTICIDE CONTAINER RECYCLING PROGRAM UPDATE

We celebrated our 30th anniversary with this year's program. The collection year is wrapping up and judging by the full trailers, we are expecting to collect roughly 20-30 tons of material. We have been working at 20-25 collection sites over the years and have brought in more than a million pounds of plastic.

MDA would like to thank all the participants and cooperators for making this program a success over the last 30 years. We look forward to working with you in 2023.

To participate or to sponsor an event at your site, contact Rob Hofstetter or Kelly Love at 410-841-5710.



The Pesticide Regulation Section entered into an agreement with FieldWatch and became a member of the FieldWatch Family in 2019. FieldWatch is an on-line mapping tool intended to enhance communications that promote awareness and stewardship activities between crop producers, beekeepers and pesticide applicators. FieldWatch includes DriftWatch, BeeCheck, CropCheck, FieldCheck and Seed-Check. To find out more information or sign-up please visit their [website](#)

Please be advised, some pesticide product labels require you to check if a drift registry database exists in the state you are performing your pesticide applications. Now that Maryland has adopted FieldWatch, don't forget to visit their Maryland link if the pesticide product label requires you to do so.



## EPA FINALIZES CERTIFICATION STANDARDS (C&T RULE)

In 2017, EPA finalized stronger standards for people who use restricted use pesticides (RUPs). PRS has drafted a C&T Plan to come in to compliance with the new rule. Many of you should be familiar with what's being proposed if you have been paying attention in your recertification meetings. For information on EPA's changes visit thier [website](#).

The Department's plan went through its initial review and we are now waiting for final approval. Once approved, MDA will have to make a few minor regulation changes. Once those have been approved we are hoping to have the new rules in place by 2026.

EPA cancelled most residential uses of chlorpyrifos in 2000. In 2002, additional label restrictions were put in place requiring buffer zones, reductions in certain application rates and and increase in the amount of personal protective equipment required during applicaitons and early entry activities. **As of February 28, 2022, EPA has removed all chlorpyrifos food tolerances**, effectively banning agricultural use. Some non-food uses are still allowed but re-regisration is in question.

Organophosphate cancellation petition to EPA: EPA has a public comment period that is open until September 25, 2022. The products being considered for cancellation are: Acephate, Densulide, Chlorethoxyfos, Chlorpyrifos-methyl, Diazinon, Dichlorvos, Dicrotophos, Dimethoate, Ethoprop, Malathion, Naled, Phorate, Phosmet, Terbufos, Tribufos

Atrazine Interim Registration Decision. EPA has proposed changes to Atrazine registrations <https://www.epa.gov/ingredients-used-pesticide-products/atrazine> and there is a comment closing date of October 7, 2022.

In addition, EPA has proposed measures to terminate the use of the herbicide diuron on food and feed crops.



Spotted Lantern Fly can be found in several Maryland counties. Please be vigilant when working in the quarantine area. For more information and permit requirements visit the Spotted Lantern Fly [website](#)

## REGULATION CHANGES



There have been several changes to the Regulations since the last newsletter. Many of you who have looked at our Regulations recently have probably noticed the additons. Medical Cannibus Regulations were drafted, the 2016 Pollinator Protection Act went into affect in 2018 with an update in 2021. All Chlorpyrifos uses in Maryland have been canceled.

The regulations can be found [here](#).



## REMINDERS

- √ Please remember to keep your insurance up-to-date and on file in our office.
- √ Please forward all address changes to this office ASAP. Failure to do this will result in delays in processing renewals, applications, etc.
- √ It is your responsibility to fill out all forms completely and accurately. Incomplete forms will not be processed. If you need assistance contact us at 410-841-5710.
- √ When you leave a place of business and go to another licensed firm or agency please remember to fill out a "Change in Status" form.
- √ If you are attending an exam session please remember no electronic devices of any kind, other than a calculator, will be allowed in the exam room. Cell phones, smart watches, pagers (if they still exist), pda's, etc., must be left in your vehicle. Anyone found with an unapproved electronic device inside the exam room will be dismissed and will be able to retake the exam at the next available session.
- √ License Renewals are online and can be used with a license and "code". The code can be obtained by calling the office with your current license number found at: <https://egov.maryland.gov/MDA/Pesticides/LicenseRenewal>
- √ Pest Reg has a new "general" email [pest.reg@maryland.gov](mailto:pest.reg@maryland.gov)

## DATES TO REMEMBER

- √ Pesticide Business licenses, Public Agency Permits, Commercial Applicator Certifications all expire on June 30th of each year.
- √ Consultant Licenses and RUP permits expire on December 31st of each year.
- √ Private Applicator Certification expires on December 31st but are on a 3-year cycle.
- √ All Certificate holder must have continuing education completed before renewing license on June 30 of each year. Continuing education should be done in person or by watching pre approved live online events.

## ONE MORE THING...

Please watch your mail for the 2022 Pesticide Use Survey. You should start seeing them arrive in January, 2023. As in the past, the Survey will be conducted by USDA's National Agricultural Statistics Service. While voluntary, it is crucial for you to complete the survey as it dictates our program activities. Full pesticide recertification credits will be provided to the applicator (private, commercial or public agency) that completes the survey.

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