



**PESTICIDE ADVISORY  
COMMITTEE**

**2015 ANNUAL REPORT**

**MARYLAND  
DEPARTMENT OF AGRICULTURE**

**MARTIN O'MALLEY**  
Governor

**ANTHONY G. BROWN**  
Lt. Governor

**Earl F. Hance**  
Secretary of Agriculture

**Mary Ellen Setting**  
Deputy Secretary

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## INTRODUCTION

The Maryland Pesticide Advisory Committee (PAC) was established by Executive Order (01.01.2003.49) signed by Governor Robert L. Ehrlich, Jr. on November 17, 2003. The Committee is comprised of fifteen members. Seven are appointed by the Secretary of Agriculture, after consultation with the Governor's Office, who represent public health, the environmental community, general public, pesticide industry, local government, pest control industry and the agricultural community. One member is a member of the Maryland Agricultural Commission, appointed by the Secretary of Agriculture. One member is appointed by the Senate President, one by the House Speaker, and one by the Chancellor of the University System of Maryland. Four serve ex officio and represent the Secretary of Agriculture, the Secretary of Natural Resources, the Secretary of the Department of the Environment, and the Secretary of the Department of Health and Mental Hygiene. The Secretary of Agriculture names the Chair.

This document was prepared as an introduction to the Committee, its mission and membership. Questions about the Committee can be directed to the Maryland Department of Agriculture or to the Chair. The Pesticide Advisory Committee provides a forum for the public and other interested parties to give input on pesticide regulatory issues and to advise the Secretary of Agriculture on matters relating to pesticides.

The committee meets bimonthly, normally on the fourth Wednesday of the month, in room 114 at the Maryland Department of Agriculture (MDA), 50 Harry S. Truman Parkway, Annapolis, Maryland. Meetings begin at 9:00 a.m. and adjourn at noon. The meetings are open to the public and the last 30 minutes of each meeting agenda is devoted to public input.

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## Mission

The primary mission of the Committee is to advise the Maryland Department of Agriculture, based on sound science, on the proper use, management and control of pesticides with particular emphasis on employing integrated pest management techniques.

Duties and responsibilities outlined specifically in the Executive Order (01.01.2003.49) Section D. (1) – (4) include:

- Making recommendations to the Secretary for changes in law or regulation to improve pesticide management in the State.
- Providing advice to the Secretary on issues concerning the registration, sales, use, storage and disposal of pesticides, the certification and training of pesticide applicators, the licensing of pest control businesses and the protection of farmworkers, endangered species and water resources.
- After consulting with the Secretary, providing advice to other State agencies and local governments concerning their responsibilities in pesticide management and protection of human health, natural resources and the environment.
- Serving in an advisory capacity to the Secretary, Department Officials, and other State agencies on pesticide related matters.

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## Membership

The Committee consists of 15 members, 7 who are appointed by the Secretary after consultation with the Governor's Office. These 7 members have subject matter interest or expertise in pesticide use, pest control, public health or environmental protection. Eight members are specifically listed in the Executive Order:

1. The Secretary of the Department of Agriculture, or a designee.
2. The Secretary of the Department of Natural Resources (DNR), or a designee.
3. The Secretary of the Department of the Environment (MDE), or a designee.
4. The Secretary of the Department of Health and Mental Hygiene (DHMH), or a designee.
5. One representative of the University System of Maryland with expertise in pesticides, designated by the Chancellor.
6. One member of the Senate of Maryland, appointed by the President of the Senate.
7. One member of the House of Delegates, appointed by the Speaker of the House.
8. One member of the Maryland Agricultural Commission, selected by the Secretary of Agriculture.

The Secretary of Agriculture names the Chair. The seven members with expertise in pesticides and the member representing the Maryland Agricultural Commission serve at the pleasure of the Secretary of Agriculture. Members may not receive any compensation for their services, but may be reimbursed for reasonable expenses incurred in the performance of duties, in accordance with the Standard State Travel Regulations, and as provided in the State budget.

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## Procedures

The Maryland Department of Agriculture provides principal staff support to the Advisory Committee. Staff are responsible for scheduling and announcing the meetings, recording meeting minutes and distributing appropriate information to the Committee members.

The Committee may adopt procedures necessary to ensure the orderly transaction of business. A majority of the Advisory Committee constitutes a quorum.

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## Meetings

The Committee meets bimonthly on the fourth Wednesday of each month, beginning in January of each year. Proceedings start at 9:00 a.m. and are normally completed by noon. An agenda and the minutes of the last meeting are mailed to all Committee members prior to the meeting date. These packets may also include reference materials, articles, or regulatory materials that should be reviewed before the meeting date. In the event of inclement weather, the Committee follows the Anne Arundel County Public School System's school delay or cancellation schedule. If school is delayed by two hours or is cancelled, the Committee meeting is cancelled until the next scheduled date.

Prior to the end of each Advisory Committee meeting, a total of 30 minutes is set aside for members of the public, or other interested parties, to make a presentation to the Committee. Presentations are limited to a five-minute period or less, depending on the number of individuals that sign up to speak. When possible, a written statement should be submitted before the meeting and an abstract of the presentation should be given to the Committee at the meeting. It is suggested that members of the public provide scientific citations or studies referenced in their presentations or provide reprints of the study.

Any Committee member who fails to maintain a 50 percent attendance of all Meetings may forfeit their appointment to the Committee. By law, any appointed Committee member who fails to maintain an attendance records is considered to have resigned that position. The member may send an approved alternate to the meeting however, that person will not count for the member's attendance record, nor will they be permitted to vote. If the member is interested in remaining on the Committee and has had extenuating circumstances that prevented attendance of the meetings, a request may be made to excuse the absences and the dismissal from the Committee.

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## **Reports**

The Secretary of Agriculture is required to report annually to the Governor on the activities of the Committee.

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### **2015 Activities and Accomplishments**

- The Committee held three public meetings (March 25th, July 22nd, and December 3rd) during 2015. Each public meeting had at least a 30 – minute period devoted to public comment. At the March 25th Meeting, Ashley Jones of the Pesticide Regulation Section, discussed the Pollinator Stakeholders meeting that was held at the University of Maryland. She also discussed the elements of the Maryland Pollinator Protection Plan. Dennis Howard of the Pesticide Regulation Section also provided the PAC members with information provided by the US EPA on a new registered miticide product to combat Varroa mites in bee hives. The miticide contains Oxalic acid and was by the U.S. Department of Agriculture.
- The July 22<sup>nd</sup> PAC Meeting consisted of an overview of the National Pollinator Protection meeting held in Washington, D.C. Ashley Jones of MDA's Pesticide Regulation Section had attended the meeting. The purpose of the meeting was facilitate and bring all of the stakeholders (bee keepers, farmers, pesticide applicators) together so to focus on the issue of pollinator decline and to ensure that they report incidents of bee kills to MDA so that we can conduct investigation to try and determine the cause of the bee kill.
- The December 3<sup>rd</sup> PAC Meeting was an opportunity to discuss Medical Marijuana and pesticides. Carol Holko, of MDA discussed her concerns regarding the use of pesticides in the production of medical marijuana.

- Dennis Howard, the Pesticide Regulation Section Program Manager provided a Notice of EPA's proposal to revoke all food tolerances for the organophosphate insecticide, chlorpyrifos, a move that would effectively ban agricultural use. EPA indicated their decision was warranted because of aggregate exposure to chlorpyrifos exceed safety levels set by federal law.
  - A Notice of EPA's proposed revisions and to their existing regulations regarding the certification of pesticide applicators. The changes EPA is proposing are numerous and if passed will require additional training of pesticide applicators. In addition, State and certification programs need to revise the current certification and training.
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### **Recommendations**

- The Pesticide Advisory Committee members recommended that MDA develop a policy on medical marijuana and pesticides.
  - The Committee also applauds the efforts of MDA staff to monitor the activities of the Federal and other State governments regarding this issued.
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### **Pesticide Committee Chairperson**

Dr. Rick Kutz was a staff member of the Geospatial Research and Education Laboratory in the Department of Geography and Environmental Planning at Towson University. He also had a private consulting practice in environmental sciences, specializing in public health and environmental research, monitoring and assessment. He was also a member of the Editorial Advisory Committee, *Environmental Monitoring and Assessment* and served as a volunteer on the Scientific and Technical Advisory Committee, Maryland Coastal Bays National Estuary Program. He had worked in various capacities for the U.S. Environmental Protection Agency (EPA) from 1972 to 2002, including most recently as a Senior Environmental Scientist, National Exposure Research Lab and Fort Meade, Maryland, a Regional Scientist, EPA Region III, and as the Special Assistant to the Assistant Administrator for Research and Development. Dr. Kutz is a member of the following professional associations: Entomological Society of America, American Mosquito Control Association, and the American Society of Tropical Medicine and Hygiene.

Dr. Kutz earned his Ph.D. degree in entomology, with minor in ecology and animal physiology from Purdue University, West Lafayette, Indiana, a Master's

degree in medical entomology and parasitology and Bachelor's degree in entomology from the University of Delaware, Newark, Delaware. His research interests include the use of geospatial and landscape approaches to public health and environmental issues. He has published a number of articles generally pertaining to insect pests, pesticide residues in human populations, and public health and ecological research.

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### **Pesticide Advisory Committee Members**

State Senator J.B. Jennings – Represents the Maryland Senate

Delegate Charles Otto – Represents the Maryland House of Delegates

John Bacus – Represents the Maryland Department of the Environment

Dean Graves - Represents the turf and golf courses businesses

Mark Hardin - Represents Maryland Public Schools

Richard Kramer – Represents structural pest control businesses

Dr. Clifford Mitchell – Represents the Maryland Health Department

David Myers – Represents the Maryland University Extension Service

Donald VanHassant - Represents the Maryland Department of Natural Resources

Lindsay Thompson – Represents the Maryland Agricultural Industry

Thomas Pheiffer – Represents groundwater issues