



## CHILDREN'S ENVIRONMENTAL HEALTH & PROTECTION ADVISORY COUNCIL

October 4, 2023

Kevin Atticks, Secretary  
Maryland Department of Agriculture  
50 Harry S. Truman Parkway  
Annapolis, MD 21401

Dear Secretary Atticks:

At its September 19, 2023 meeting the Children's Environmental Health and Protection Advisory Council (CEHPAC) voted to send a list of questions to the Department of Agriculture (MDA) in anticipation of a meeting with the Department concerning Integrated Pest Management and pesticides as they relate to children's environmental health. The list of questions follows. Please let me know if you have any follow up questions prior to our meeting.

We look forward to addressing these questions with the Department on November 22, 2023. We appreciate the opportunity to discuss these issues.

### **CEHPAC Questions for MDA AAG on Integrated Pest Management (IPM) in Schools**

County boards of education are required to develop and implement an IPM system with several components, including an IPM policy, procedures for conducting the pest control program, procedures for regular inspection and monitoring activities, pest management strategies, and more (COMAR 15.05.02.03).

1. Is there an example or model of each of these components to better differentiate what should be included for each component?
2. Each county board of education is responsible for developing and implementing the IPM system. What is the role of MDA in receiving and approving the IPM systems? What does that process look like? Are the approved IPM systems publicly available?
3. What is the role of MDA to take enforcement action if a county board of education's IPM system is not submitted to MDA, incomplete, not implemented according to the IPM system, or out of date?
4. Each county board of education must review the IPM strategies and the program quality assurance each year. Does MDA receive this evaluation? Is there any requirement for a county board of education to review and revise the IPM system as a whole?

5. IPM strategies include sanitation, structural repair, nonchemical methods, and, when nontoxic options are unreasonable or have been exhausted, pesticides. What is required to show that a county board of education has exhausted nontoxic options and is minimizing the use of pesticides?

Are pesticides applied for mosquito control, tick control, and on artificial turf fields covered by the current IPM in Schools Regulations? If not, why?

Some disinfectants are listed as pesticides by the EPA. MDA's definition of a pesticide excludes antimicrobial agents, such as a disinfectant used for cleaning purposes (COMAR 15.05.02.02).

1. Why do the IPM regulations apply based on the intended use of the chemical, rather than the chemical itself? Is there a functional or legal difference between using a fogger or electrostatic sprayer for pest control purposes versus disinfection for COVID-19 control?
2. What is the state's definition of "disinfectant" versus a "pesticide," and does the use of a disinfectant in the context of pest management ever subject the product to the pesticide laws, regulations, or requirements? How does this compare with Federal law?
3. Who should parents contact if they have questions about the specific cleaning products used in a school or school system? Are there other laws or regulations that govern the cleaning products that can be used in a school?
4. What is the process for the State Chemist to approve pesticides and what they can be used for in Maryland, and is there input from other groups or bodies as part of that review process?

How are pesticide application records stored, reported, and used by MDA? Are they used by schools to evaluate their IPM systems? Are they publicly available?

Sincerely,



Clifford Mitchell, MS, MD, MPH  
Chair, Children's Environmental Health and Protection Advisory Council

cc: CEHPAC members