



CHILDREN'S ENVIRONMENTAL HEALTH &
PROTECTION ADVISORY COUNCIL

September 30, 2009

Dennis W. Howard
Chief, Pesticide Regulation Section
Maryland Department of Agriculture
50 Harry S. Truman Parkway
Annapolis, Maryland 21401

RE: Comments on MDA **DRAFT** Errata Sheet & Important Notice Concerning IPM Training Manuals and Info Sheets

Dear Mr. Howard:

The Children's Environmental Health & Protection Advisory Council (CEHPAC) respectfully submits this letter following our review and discussion of the proposed Errata Sheet and Important Notice Concerning Integrated Pest Management Training Manuals and Information Sheets. CEHPAC's purpose is to identify environmental hazards that may affect children's health and to recommend solutions to those hazards. Our legislative mandate requires CEHPAC to review existing and introduced regulations and to serve as a source of information and education for the public, professionals, State agencies, the General Assembly and the Governor regarding environmental hazards.

CEHPAC applauds MDA's efforts to address the use of pesticides in schools. We understand that these errata sheets are intended to address concerns regarding MDA's original interpretation of the definition of integrated pest management (IPM) from statute to regulation, as well as the accuracy of the MDA's eight IPM in Schools manuals. However, we are concerned that the errata sheets may not completely address all of the issues raised in the Attorney General's Letter of Advice (dated Nov 7, 2002, provided by Chief Counsel McDonald to Senator Frosh), and may not completely address both the letter and the intent of the 1997 legislation mandating the use of Integrated Pest Management (IPM) as the means of controlling pests in schools.

The manuals previously produced by MDA specify MDA's guidelines for implementing IPM in schools. We are concerned that these manuals, in their current form, and even with the errata sheets included, may not adequately meet the legislative goals expressed in Md. Code Ann., Agriculture § 5-208.1., of "minimize[ing] the use of pesticides..." and "minimiz[ing] the risk to human health and the environment associated with pesticide applications." (§ 5-208.1(a)(6)(i-ii)).

In our discussions we reviewed the Attorney General's 2002 Letter of Advice, which recommended that at the next available opportunity MDA amend its regulations to track the statutory definition precisely and to revise the published guidelines to comply with the intent and language of the law. We would encourage MDA to review the available materials and information available on IPM, as well as advances in IPM over the previous decade, and to work with stakeholders to update the available information, as well as to make it available electronically.

These updates and revisions should focus on ensuring that school districts are in compliance with all aspects of the law, and that they are made aware of basic strategies, best practices and procedures for implementing IPM in Schools. These best practices should emphasize minimizing the use of pesticide, and minimizing risks to human health and the environment associated with pesticide applications, as called for in the law.

We thank you for your leadership on this issue and look forward to providing any guidance that we can to ensure that children's health is not adversely impacted by the method of pest control used in Maryland Public Schools.

Sincerely,

Clifford S. Mitchell, MS, MD, MPH
Chair