



Maryland Department of Agriculture

Office of Plant Industries and Pest Management

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Joseph Bartenfelder, Secretary
Julianne A. Oberg, Deputy Secretary

Pesticide Regulation

The Wayne A. Cawley, Jr. Building
50 Harry S. Truman Parkway
Annapolis, Maryland 21401
www.mda.maryland.gov

Agriculture | Maryland's Leading Industry

410.841.5710 Baltimore/Washington
410.841.2765 Fax
800.492.5590 Toll Free

June 10, 2021

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

Dear Dr. Mitchell,

Thank you for your May 11, 2021, letter regarding your inquiry into the Regulations Pertaining to the Integrated Pest Management and Notification of Pesticide Use in a Public School Building or on School Grounds.

The Department has been enforcing both State and Federal pesticide laws and regulations since the mid 1970s. The Department has had School Integrated Pest Management Regulations in place since 1999, which were last amended in 2012. These regulations apply to all public school buildings and on school grounds. Within the school setting, antimicrobial pesticides generally have the following uses: disinfect, sanitize, reduce or mitigate growth or development of microbiological organisms. They also protect inanimate objects (desks, floors, walls, etc.) from contamination or deterioration caused by bacteria, viruses, fungi, protozoa, algae, or slime. These products are typically used in the school setting by custodial staff, but can also be used by food service personnel or nurses in an effort to keep an area disease free.

Antimicrobials are exempt under the School IPM Regulations and records do not need to be kept by the IPM Coordinator. However, all antimicrobials that make a pesticidal claim must be registered with both EPA and the Department's State Chemist Section. EPA exempts most products that meet the requirement of minimum risk products, such as the "green" cleaners (25b). However, if those products make a pesticidal claim, they are still required to be registered for use in Maryland. Because of State and/or federal registration requirements, users of these products are still bound by all label directions. The exemption of antimicrobials is consistent with states that have IPM in Schools Regulations or policies in place and with guidance documents from the United States Environmental Protection Agency (USEPA).

All public school districts in the state of Maryland are required to adopt an IPM policy, which is approved by the Department. The Department is unaware of any public school district in the State that has failed to implement an IPM policy for approval. The Department's Pesticide Regulation Section Inspectors periodically inspect county school systems for compliance. Information on the Department's pesticide inspection activities can be found in the *Pesticide Data Report*, which is released each year.

The Department is committed to Children's Environmental Health. It fulfils this commitment by enforcing both State and Federal Pesticide Laws and Regulations. At this time, the Department believes that its current IPM in School Regulations are consistent with states across the country and meet or exceed recommendations and/or guidelines provided by USEPA.

Sincerely,

A handwritten signature in cursive script that reads "Joseph Bartenfelder".

Joseph Bartenfelder
Secretary of Agriculture