

INTERPRETING PESTICIDE LAWS AND REGULATIONS IN MICHIGAN

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Today I will attempt to bring you up-to-date on this proposed legislation before getting into other areas. SB 65 was introduced in February of 1985 by Senator Fessler of West Bloomfield at the request of a special interest group claiming to be sensitive to petrochemicals. The bill is a carry-over of SB 730 which was introduced by Senator Fessler in 1984. The bill was aimed at commercial lawn spray applicators and would require prior notification to all persons within 2000 feet before spraying any lawn, tree or shrub. A public hearing was held on SB 730 in the fall of 1984 to gather testimony. No action was taken, and the bill died in committee.

A new version of the bill (SB 65) was introduced again in February 1985. SB 65 provides for establishing a registry of persons requesting prior notification before spraying. A person could register with the local county health department for a \$5.00 fee. This new version changes the distance from 2000 to 1000 feet.

SB 65 was also expanded to include posting all places of public accommodation with a decal showing what pesticides may have been used to treat the structure. The bill exempted agricultural applications. The Department of Natural Resources (DNR) offered amendments to the bill which would include agricultural applications. The chairman of the legislative committee is unwilling to accept DNR's amendments, therefore, the bill most likely will never get out of committee.

The Department of Agriculture completed an analysis of the bill and took the position of opposing it for various reasons. Foremost, we anticipate it would generate an increased number of complaints to the extent it would require additional personnel to conduct investigations. Secondly, it would not provide relief to affected persons, because the next door neighbor can purchase and apply the same products.

The Department of Agriculture developed a proposed regulation on pesticide use during 1985. Proposed regulation 637 is an interpretive rule which will inform users how the department will interpret label use instructions and precautionary statements. The rule proposes a maximum wind of 23 mph during pesticide applications. It will establish a requirement to assure adequate communications between the applicator and person in charge of the property being treated. The applicator must convey conditions for re-entry into treated areas and advise the person in charge that they should keep persons out of the area being treated. A considerable portion of the regulation deals with indoor applications by PCO's, termite treatment and use of rodenticides. The department held a public hearing on the rule during April, 1985. The rule is now before the Joint Rules Committee of the legislature. The Joint Rules Committee will hold its own public hearing before passing or denying the proposed regulation. I have received notice that the Joint Rules Committee will consider the proposed regulation on January 29, 1986, at 8:00 a.m. in Room 402 of the Capitol Building.

Again, I appreciate the opportunity to address your conference. I will be happy to answer any questions.