



STATE OF MAINE
DEPARTMENT OF AGRICULTURE, CONSERVATION AND FORESTRY
BOARD OF PESTICIDES CONTROL
28 STATE HOUSE STATION
AUGUSTA, MAINE 04333

JANET T. MILLS
GOVERNOR

AMANDA E. BEAL
COMMISSIONER

BOARD OF PESTICIDES CONTROL

February 27, 2026

9:00 AM Adjudicatory Hearing

10:00 AM Board Meeting, resuming after the Public Hearing

10:30 AM Public Hearing

Join the meeting in person in Room 101, Deering Building, 90 Blossom Lane, Augusta
Or

[Join the meeting now](#)

Meeting ID: 263 693 709 752 20

Passcode: g9Mc3HW7

Dial in by phone

[+1 207-209-4724,,828636415#](#) United States, Portland

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Phone conference ID: 828 636 415#

MINUTES

1. Introductions of Board and Staff
 - Adams, Bohlen, Carlton, Fanning, Gray, Neavyn
 - Boyd, Brown, Couture, Gayoso, Gustanski, Peacock, Leibowitz, Richard, Saucier, Vacchiano, Van Hoewyk
2. Public hearing on Proposed Rule Amendments to Chapter 40: Maine Restricted and Limited-Use Pesticides, Section 1. Restricted Use Pesticides

The Board will hear testimony on the proposed amendments. The proposed amendments to Chapter 40, Section 1(B) include the addition of the 4 second-generation anticoagulant rodenticide active ingredients: brodifacoum, bromadiolone, difenacoum, difethialone, and the herbicide active ingredient: tebuthiuron.

ALEXANDER PEACOCK, DIRECTOR
90 BLOSSOM LANE, DEERING BUILDING



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3. Minutes of December 19, 2025, and January 14, 2026 Board Meetings

Presentation By: Alex Peacock, Director
Action Needed: Amend and/or Adopt

Bohlen/Carlton: Moved and Seconded to adopt December 19, 2025, meeting minutes.

In favor: Unanimous

Fanning/Gray: Moved and Seconded to adopt January 14, 2026, meeting minutes.

In favor: Unanimous

4. Consideration of a Request for Financial Support from Maine Mobile Health

Since 1995 the Board has supported the Migrant and Seasonal Farmworker Safety Education program. The Maine Mobile Health Program (MMHP) provided training to 250 farmworkers during the 2025 season. Funding to support the effort in 2026 is being requested in the amount of \$20,000.00 which is an increase in the funding amount provided by the Board in 2025. The funding has been accounted for in the Board's FY26 budget.

Presentations By: Hannah Miller, Director of Outreach, Maine Mobile Health
Action Needed: Discussion and Approve/Disapprove this Request.

- Miller introduced Maine Mobile Health's goals to expand their scope of in-person training. They have already introduced heat-stress training in addition to worker protection training. Maine Mobile Health hopes to reach 250 workers in different types of farms and different parts of the state. Miller asked the Board for an increased budget of \$20,000 to train more staff and reach more farms. Miller mentioned they received feedback from farms that workers had difficulty following training videos and that they were left with a lot of questions. Maine Mobile Health also wants to expand its outreach as well as expand its offerings to include free trainings with its medical services.
- Carlton asked how much their budget was previously.
- Miller responded that the budget was \$6,432.00.
- Adams asked if they had plans to expand past 250 farm workers.
- Miller explained that they wanted to start small with the 250 workers, but that Maine Mobile Health would expand as far as they could.
- Carlton asked how many farms Miller thought Maine Mobile Health missed last year.
- Miller acknowledged they met their demands. Their goal was to reach 120 farms, but they surpassed this number and met with approximately 167 farms. Miller mentioned that many blueberry farms are hiring fewer rakers, so Maine Mobile Health plans to reach out to apple orchards and expand into Aroostook County.
- Adams mentioned the use of contracted work was growing in Aroostook.
- Miller agreed and added that the H-2A Visa program might have something to do with the trend.
- Neavyn asked if Maine Mobile Health received support from any other health programs in Maine.
- Miller said they didn't receive much.

- Adams asked if the pesticide training mirrored handler training.
- Miller clarified they mostly focused on worker protection, but that they were willing to learn the training and expand to meet the need.
- Carlton asked Peacock if the BPC could cover the increased budget.
- Peacock confirmed it could be covered.

Carlton/Neavyn: Moved and Seconded to approve the Maine Mobile Health Program's 2026 budget.
In Favor: Unanimous

5. Consideration of Consent Agreement with Stephen Antonson of Rockport

On June 3, 1998, the Board amended its Enforcement Protocol to authorize staff to work with the Attorney General and negotiate consent agreements in advance on matters not involving substantial threats to the environment or public health. This procedure was designed for cases where there is no dispute of material facts or law, and the violator admits to the violation and acknowledges a willingness to pay a fine to resolve the matter. This case involved an application to a property without prior authorization.

Presentations By: Jose Gayoso, Compliance Manager
 Action Needed: Discuss; Approve/Disapprove

- Gayoso reintroduced a consent agreement that was not approved by the Board in the past. The revised consent agreement language was similar with small changes. Line 25 was changed to acknowledge that a court could find evidence of guilt, even though the Antonsons continue to refuse to admit guilt and dispute the BPC's conclusions. The Antonsons accepted the maximum penalty under the law and submitted a check for the fine.
- The Board discussed the letter submitted by the victim's family, in which they proposed additional penalties beyond a fine.
- Adams asked Gustanski for his input on the letter's proposal.
- Gustanski commented that it seemed misaligned with what the statute allows the Board to impose penalties, but the agreement could be done between two private parties.
- Bohlen admitted he didn't think the consent agreement language changed enough to address the previous problems, but that he didn't believe a better outcome would happen.
- Adams agreed the outcome wasn't ideal, but that the Board was bound to the limits of the statute.
- Carlton applauded the letter from the victim's family and acknowledged they themselves wanted to move past this.

Carlton/Fanning: Moved and seconded to approve the consent agreement with its revisions.
In Favor: Unanimous

6. Other Old and New Business

- a. Variance Permit for CMR01-026, Chapter 29, Wilkinson Ecological, Piper Shores, Scarborough, ME
 - Peacock informed the Board of a variance permit for invasive species management. A comprehensive plan has been run past DEP and put into place.

- b. BPC Policy Concerning Denying Access to the Public for Seven Days to Areas “Open to Use by the Public” Adopted July 10, 2015
 - Peacock reminded the Board of a policy adopted in 2015 concerning denying access to the public for seven days in order to allow for the unsupervised application of herbicides in “open to use by the public” areas. Peacock asked the Board how someone would close public lands for seven days when it isn’t fenced. Peacock mentioned that a group made up of land trusts that are combating invasive species requested an audience with the Board to discuss the matter.
 - Adams clarified that this was a policy and not a rule. He then asked when they were looking to have an audience.
 - Peacock said it would likely be the April meeting, and that he brought it up mostly to familiarize the Board with the policy.
 - Bohlen added that he remembered the policy. He listed some of the complications that can come from it, including that the policy is a way of trying to get around the statute.

- c. USEPA Implements Strongest Protections in Agency History for Over-the-Top Dicamba Use on Cotton and Soybeans for Next Two Growing Seasons
 - Peacock described the intended use for Dicamba on tolerant cotton and soybeans to manage weeds. Peacock also explained how it easily moved off target, even when properly applied. Heavy restrictions were implemented, and Dicamba was almost completely revoked, but issues arose with cotton and soy growth without it. Reduced application rates were implemented to reduce off-target applications, though it can still be problematic.
 - Adams added that Dicamba has also been used on corn and industrial vegetable farms.
 - Peacock then said it could even be found in some homeowner products.

7. Schedule of Future Meetings

The next scheduled Board meeting date is April 10, 2026, at the Deering Building, Room 101, Augusta

Future Meetings: May 29, 2026 (Marquardt Building Rm 118), July 10, 2026, August 21, 2026.

Adjustments and/or Additional Dates?

8. Adjourn

Gray/ Neavyn: Moved and seconded to adjourn at 9:39 a.m.
In Favor: Unanimous

NOTES

- The Board Meeting Agenda and most supporting documents are posted one week before the meeting on the Board website at www.thinkfirstspraylast.org.
- Any person wishing to receive notices and agendas for meetings of the Board, Medical Advisory Committee, or Environmental Risk Advisory Committee must submit a request in writing to the Board's office. Any person with technical expertise who would like to volunteer for service on either committee is invited to submit their resume for future consideration.
- On November 16, 2007, the Board adopted the following policy for submission and distribution of comments and information when conducting routine business (product registration, variances, enforcement actions, etc.):
 - *For regular, non-rulemaking business*, the Board will accept pesticide-related letters, reports, and articles. Reports and articles must be from peer-reviewed journals. E-mail, hard copy, or fax should be sent to the Board's office or pesticides@maine.gov. In order for the Board to receive this information in time for distribution and consideration at its next meeting, all communications must be received by 8:00 AM, three days prior to the Board meeting date (e.g., if the meeting is on a Friday, the deadline would be Tuesday at 8:00 AM). Any information received after the deadline will be held over for the next meeting.
- During rulemaking, when proposing new or amending old regulations, the Board is subject to the requirements of the APA (Administrative Procedures Act), and comments must be taken according to the rules established by the Legislature.