



Joseph Spitzmueller,

The Minnesota Pest Management Association (MPMA) appreciates the opportunity to work with the Minnesota Department of Agriculture (MDA) and other impacted groups on MDA's concern with Pesticide Notification. MPMA and MDA have a long history of working together to ensure that pesticides are applied correctly, and that the environment and public health are protected.

In your September 3rd email, you ask stakeholders whether they could support the two proposals explained in your mail.

The first proposal would establish a requirement for the applicator to provide a leave-behind posted in the immediate area (apartment) following an application. In addition, a leave-behind must be placed in common areas (laundry room, hallway?) following an application. The leave-behind would be the responsibility of the applicator. This proposal goes on to require the applicator (company) to provide a full copy of the application record to the resident of a unit with a leave-behind notice, upon request. Any resident may request a copy of the application record when the company has provided a leave-behind notice in common areas. MPMA has pointed out that routine treatment of common areas is infrequent, with less toxic, lower odor materials and often crack and crevice, so exposures are limited, risk is limited and it just isn't practical to do this to replace a handful of "What was applied?" phone calls to MDA with "I see a notice. What was applied?" phone calls.

The second proposal states: "if an application was made in a public building (any business, govt. building, etc.) no leave-behind is required. If any individual contacts the applicator (company) and requests a copy of the application record relating to a public building, the record must be provided to the requester. This does not allow communication between customer and applicator (company) and may violate rules of confidentiality. Again, MPMA feels strongly this communication between an office employee or visitor should be the responsibility of the property owner or manager. Posting in a conspicuous place in a large building such as MDA with many exits will likely cause more problems than solutions.

Any individual can request a full application record for an application at a public building. The individual receiving the application record may not have a clear understanding of the information. The individual may decide to make this information public (newspaper). This could lead to owners of public buildings applying pesticides using untrained individuals, such as their own untrained staff, to avoid being subject to these new notification laws, putting the public more at risk, yet MDA has little to no jurisdiction in this area.

MPMA is concerned that the second proposal could lead to environmental and health issues at public buildings and have major complications. MPMA sees no support for any part of this proposal.

Please keep in mind that MPMA's position is based on the following facts:



1. The trained and licensed Pest Management industry makes an estimated 1,000,000 applications each year in Minnesota. .
2. The MDA may receive up to twelve calls per year from individuals requesting information relating to an application in a multi-housing unit. At this time, MDA does not keep records or documentation of these calls, so we really don't know the accurate size or nature of these calls, other than from anecdotal reports. MDA suggests the caller contact the appropriate housing authority (owner, manager). Pest Management companies and multi-housing unit owners or managers are receiving few if any post application calls. Again, anecdotally after MDA directs callers to ask their property management company, they seldom get a return call complaining they can't receive this information.
3. MDA has no record of any individual calling back or a history of these calls resulting in a pesticide use investigation or misuse action. No call backs may indicate that the advice given by MDA is resolving the original caller's concern. In addition, a review of MDA's pesticide misuse investigations show few, if any cases involving the MN Pest Management industry. The Pest Management industry has an excellent history of compliance to Minnesota law.
4. At this time, multi unit housing owners and managers inform residents about scheduled pesticide applications in advance, per multi-housing regulations. The information explains what tenants need to do, typically provided by the pest control company, and includes any re-entry precautions (if any), often available in many languages. It is MPMA's understanding that neither MDA, applicator companies, or multi-unit owners and managers receive calls or requests not to treat. MPMA assumes that residents understand the pest situation, and the application will provide improved health and living accommodations. The pre-application notification seems to alleviate concerns.
5. The proposed legislative initiative further regulates the trained applicator and states nothing about pesticide applications by untrained applicators, such as landlords and property owners applying pesticides on their own property.
6. Public posting of applications, such as for Bed Bugs, could have a detrimental effect on business for a property, not only in terms of public relations, but also in creating a tenant culture of not reporting bed bugs. Many tenants fear what will happen to them if they report. We in MPMA and the multi-housing industry are encouraging the early reports so small infestations can be dealt with sooner in a less toxic manner.

MPMA believes that no new legislative language impacting the Structural Pest Management industry in Minnesota is needed at this time. MDA and MPMA may want to encourage the voluntary use of post application leave-behind notices inside tenant units based on the particular pesticide applied and site treated. Information on the leave-behind notice could include the company name, date of application, and contact information. Other information on the leave-behind notice could be included based on need, pesticide used, and site of treatment.



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MPMA appreciates the opportunity to work with the MDA and other stakeholders on this issue. MPMA will continue to maintain and improve the excellent working relationship between MDA and the MN pest management industry.

Thank you for involving MPMA on this issue.

Matt Ferguson, President

Minnesota Pest Management Association