



Dear Members,

Some good news regarding the notification registry and a win for the structural pest control industry. Unless we are doing 3a or 3b applications for turf or ornamental pests, we will not need to be looking things up in the notification registry and notifying the people on it..... However, we will still be required to post lawns for ground applications that are on turf or ornamental **sites, excluding mulch and stone areas**. We do a lot of work around the exterior of structures that include ground applications to protect properties from pest. When these applications do happen, or when we do yards and such for mosquito and/or tick control, **we must post the yard**.

We are currently work with our lobbyist to get an amendment added to a notification registration bill (already passed in the senate) to get a 10-foot setback from a structure(s) that would allow us to make these ground applications without having to post the yard. That bill is still in the House Natural Resource Committee. No movement on the bill is expected on the bill until after they both houses return from Spring Break. There is no sense in how long this may take to get finalized. But there is support for the amendment from both the house and senate.

See the email below from the Michigan Department of Agriculture and Rural Development, I have copied it in its entirety.

Bill Welsh

MPMA Government Affairs Chair

Hi Bill,

During Jeff Zimmer's recent MPMA presentation, he discussed PPPMD's new interpretation of Regulation 637, Rule 11 (i.e., the requirement to post lawn markers on properties where commercial applicators made applications to turf or ornamental sites, regardless of the category of application). A member asked what effect this requirement would have on notifying contact persons on the notification registry. Jeff said he would reply to you so that you could pass on the information to your membership as a whole. Jeff asked me to send you the following PPPMD guidance.

Regulation 637, Rule 11(2) states, "When making a broadcast, foliar, or space **application of pesticides to an ornamental or turf site**, other than a golf course or farm production operation, a commercial applicator shall comply with both of the following provisions . . ." and ". . . a commercial applicator shall

place a lawn marker at the primary point or points of entry.” In this context, PPPMD (based on the Michigan Department of Attorney General’s interpretation), considers “application of pesticides to an ornamental or turf site” to be an application of pesticides onto ornamental or turf plants or onto places where those plants are situated. Those applications could be in categories 3A, 3B, 6, 7A, 7F, etc. Applications of general-use ready-to-use pesticides are excepted from this requirement.

Regulation 637, Rule 5(8) states, “Before **a lawn or ornamental pesticide** other than a general-use ready-to-use pesticide is applied on a property address listed on the most recent published registry, a commercial applicator shall notify the contact person on the registry.” In this context, PPPMD considers “lawn or ornamental pesticide” to be a pesticide labeled for use on turf or ornamental plants for the purpose of controlling pests of turf or ornamental plants. Those applications could be in categories 3A and 3B, but not in other categories.

In conclusion, **when an ornamental or turf site that is located at an address listed on the notification registry is treated with a pesticide that is not a lawn or ornamental pesticide**, the applicator is not required to provide prior notification to the contact person on the notification registry, but is required to place a lawn marker at the primary point or points of entry.

If you have any questions, please contact me.

Michael Stoliecki, Pesticide Section Manager
Michigan Department of Agriculture & Rural Development
525 W. Allegan
Lansing, MI 48909
Office: 517-284-5652
Cell: 517-243-4191