
By: **Senators Pinsky and Exum**

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Mosquito-Borne Diseases - Pesticides - Public Health**

3 FOR the purpose of requiring the Department of Agriculture to conduct an integrated
4 pest management program to eliminate certain mosquitos; requiring the
5 Department of Health and Mental Hygiene, Department of the Environment,
6 and Department of Agriculture to document certain health threats and infected
7 insects; requiring the Departments to identify certain devices and pesticides for
8 mosquito prevention and control; requiring the Departments to use certain
9 methods of pesticide application in areas accessible by land; requiring the
10 Departments to provide notice to the public; requiring the Department of
11 Agriculture to establish procedures exempting organic farms from the
12 application of certain pesticides; defining certain terms; providing for the
13 termination of this Act; and generally relating to the control of mosquito-borne
14 diseases.

15 BY repealing and reenacting, without amendments,
16 Article - Agriculture
17 Section 5-208.1(a)(6)
18 Annotated Code of Maryland
19 (1999 Replacement Volume and 1999 Supplement)

20 BY adding to
21 Article - Agriculture
22 Section 5-406
23 Annotated Code of Maryland
24 (1999 Replacement Volume and 1999 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Agriculture

2 5-208.1.

3 (a) (6) "Integrated pest management" means a managed pest control
4 program in which methods are integrated and used to keep pests from causing
5 economic, health related, or aesthetic injury through the utilization of site or pest
6 inspections, pest population monitoring, evaluating the need for control, and the use
7 of one or more pest control methods including sanitation, structural repair,
8 nonchemical methods, and, when nontoxic options are unreasonable or have been
9 exhausted, pesticides in order to:

10 (i) Minimize the use of pesticides; and

11 (ii) Minimize the risk to human health and the environment
12 associated with pesticide applications.

13 5-406.

14 (A) (1) IN THIS SECTION, THE FOLLOWING WORDS HAVE THE MEANINGS
15 INDICATED.

16 (2) "INTEGRATED PEST MANAGEMENT" HAS THE MEANINGS STATED IN §
17 5-208.1(A)(6) OF THIS TITLE.

18 (3) "MOSQUITO-BORNE HEALTH THREAT" MEANS A DISEASE
19 CONTRACTED AND TRANSMITTED BY A MOSQUITO THAT CAN CAUSE SICKNESS,
20 LONG-TERM ADVERSE EFFECTS, DEBILITATING ILLNESS, OR DEATH IN HUMANS.

21 (B) THE DEPARTMENT OF AGRICULTURE SHALL CONDUCT AN INTEGRATED
22 PEST MANAGEMENT PROGRAM TO CONTROL MOSQUITOS OF ALL LIFE STAGES THAT
23 PRESENT A PUBLIC HEALTH THREAT.

24 (C) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, THE DEPARTMENT
25 OF THE ENVIRONMENT, AND THE DEPARTMENT OF AGRICULTURE SHALL THROUGH
26 A SURVEILLANCE SYSTEM WITH RECORDED DATA:

27 (1) DOCUMENT A MOSQUITO-BORNE HEALTH THREAT;

28 (2) IDENTIFY THE VECTOR OF THE DISEASE; AND

29 (3) IDENTIFY THE INFECTED MOSQUITO POPULATION.

30 (D) (1) ONCE A MOSQUITO-BORNE HEALTH THREAT HAS BEEN
31 DOCUMENTED, THE DEPARTMENT OF AGRICULTURE, THE DEPARTMENT OF HEALTH
32 AND MENTAL HYGIENE, AND THE DEPARTMENT OF THE ENVIRONMENT SHALL
33 IDENTIFY THE RANGE OF MATERIALS, DEVICES, AND APPROPRIATE INTEGRATED
34 PEST MANAGEMENT PRACTICES THAT CAN BE USED FOR MOSQUITO PREVENTION
35 AND CONTROL WITH THE LEAST AMOUNT OF RISK TO PUBLIC HEALTH.

1 (2) LARVICIDING AND, IF NECESSARY, GROUND SPRAYING SHALL BE
2 USED IN ALL AREAS ACCESSIBLE BY LAND IN ORDER TO MINIMIZE UNNECESSARY
3 EXPOSURE TO THE PUBLIC FROM AERIAL APPLICATIONS.

4 (E) (1) THE DEPARTMENT OF AGRICULTURE SHALL PROVIDE NOTICE TO
5 THE PUBLIC AT LEAST 48 HOURS BEFORE ANY PESTICIDE APPLICATION FOR A
6 MOSQUITO-BORNE PUBLIC HEALTH THREAT.

7 (2) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE
8 DEPARTMENT OF AGRICULTURE SHALL PUBLISH NOTICE BY MEANS OF LOCAL
9 NEWSPAPERS, RADIO ANNOUNCEMENTS, AND TELEVISION ANNOUNCEMENTS.

10 (3) THE NOTICE SHALL CONTAIN THE FOLLOWING INFORMATION:

11 (I) THE LOCATION OF PESTICIDE APPLICATION;

12 (II) THE DATE THE PESTICIDE WILL BE APPLIED;

13 (III) THE PRODUCT NAME OF THE PESTICIDE;

14 (IV) A STATEMENT THAT THE PESTICIDE MAY HAVE ADVERSE
15 EFFECTS AND THAT THE PUBLIC CAN RECEIVE INFORMATION ON THE ADVERSE
16 EFFECTS OF THE PESTICIDE BY CONTACTING THE DEPARTMENT OF HEALTH AND
17 MENTAL HYGIENE; AND

18 (V) SPECIFIC PRECAUTIONS THAT SHOULD BE TAKEN TO MINIMIZE
19 EXPOSURE TO THE PESTICIDE.

20 (4) THE DEPARTMENT OF AGRICULTURE SHALL RENOTIFY THE PUBLIC
21 AT LEAST 48 HOURS IN ADVANCE, IF THE DATE OF APPLICATION IS CHANGED.

22 (5) THE DEPARTMENT OF AGRICULTURE SHALL ESTABLISH
23 PROCEDURES EXEMPTING ORGANIC FARMS FROM PESTICIDES SPRAYED TO REDUCE
24 THE MOSQUITO POPULATIONS THAT JEOPARDIZE THE FARM'S ORGANIC STATUS.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 2000. It shall remain effective for a period of 2 years and 6 months, and, at the
27 end of December 31, 2002, with no further action required by the General Assembly,
28 this Act shall be abrogated and of no further force and effect.