



Minnesota Pest
Management
Association

MPMA

2015 Board of Directors
Matt Ferguson, Rainbow Pest Experts, President - Richard Turbett, Terminix - Todd Leyse, Adams Pest Control - Rob Greer, Rove Pest Control -
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2414 Elm Drive • White Bear Lake MN 55110

Mr. Dave Frederickson
Commissioner of Agriculture
Minnesota Department of Agriculture
625 No. Robert St.
St. Paul, MN 55155

Dear Mr. Frederickson:

Among several policy issues being considered by the Minnesota Department of Agriculture is the question of whether insecticides intended by their manufacturers for distribution only to trained, professional applicators should be allowed to be sold on the open market. At issue is the fact that, although the manufacturers of certain insecticides place advisory language on the products' labeling indicating that the products are only for sale to and use by licensed applicators, some of these insecticides are not Federally classified by EPA as Restricted-Use Pesticides (RUPs) and therefore can be sold to anyone. Mainstream suppliers serving the pest control industry, such as Univar, Pest Control Supplies, Rhodes Chemical, Pest Management Supplies, Oldham Chemicals Company, Southern Mill Creek and others choose not to sell to homeowners, do-it-yourselfers and landlords. However, there is a proliferation of online merchants – among them are DoMyOwnPestControl.com, ePestSupply.com, Amazon.com, eBay.com, and surely many others – that sell products intended for professional use to anyone who has a credit card or Pay Pal account.

Here are a few examples of the kind of language placed on insecticide labels indicating their manufacturers intended them to be sold only to licensed applicators:

"For sale to, use and storage only by individuals/firms licensed or registered by the state to apply termiticide and/or general pest control products." (Termidor; active ingredient: fipronil and Phantom; active ingredient: chlorfenapyr)

"For pest management professionals and commercial use only." (Tempo Ultra WP; active ingredient: beta-cyfluthrin)

Unlicensed purchasers of products intended for professionals do not hurt the professional pest control industry: [Do-it-yourselfers](#) don't know how to use [these products](#), and so the products fail to bring relief. [Then the do-it-yourselfers](#) call us to do the job right. Unlicensed purchasers of pesticides intended for professional use do cause harm to themselves and their neighbors, and that is what concerns us. Recall the incident in which many honeybees were killed in Minneapolis a few summers ago by an off-label application of an insecticide containing the active ingredient fipronil: contrary to label instructions, the product was applied [near](#) flowering plants visited by bees, and the result was a devastating loss to local honeybees, part of a natural resource that is already under a great deal of stress. At that time, there was a great deal of outcry that the sale of fipronil should be restricted, however, fipronil by itself is not the problem. After all, neonicotinoids as a class are the group of insecticides considered most harmful to bees, and fipronil is not a member of that class. The point



is: insecticides belonging to a variety of classes, each with differing modes of action, bear label language cautioning the user to avoid treating sites that are being visited by bees and other pollinators.

Professional pesticide applicators are licensed, and in order to obtain licensure, they must demonstrate understanding of the risks associated with pesticides. They must show proficiency in reading and following pesticide labels and labeling, which is key to preventing environmental harm such as unintended bee mortality.

By contrast, the homeowner that purchases insecticides online is able to get the same products as professional applicators. These products are not packaged the way do-it-yourselfers are accustomed to getting yard chemicals: they are often in concentrate form, requiring dilution and application through specialized equipment such as compressed-air sprayers. Lacking understanding of the risks of over-applying, the do-it-yourselfer might read directions to dilute one ounce of concentrate in a gallon of water and think, "If one ounce is good, then two ounces are better!" The do-it-yourselfer, if he or she reads the directions at all, might miss the cautions about not applying products where bees or other pollinators are likely to be present, and we have seen the consequences of this kind of omission.

As an organization committed to serving the public, protecting the environment and complying with the law, the Minnesota Pest Management Association joins many concerned citizens in wishing to limit access to insecticides that, in the hands of untrained persons, could harm people, pets, or the environment. Therefore, Mr. Commissioner, we are petitioning you to take such action as is in your authority to [restrict the sale of professional-use insecticides to licensed applicators](#).

We considered a preliminary step of approaching pesticide distributors and asking them to voluntarily refrain from selling pesticides whose labels bear language indicating that they are only for sale to, use and storage by licensed applicators. MPMA realized that the only pesticide distributors we could successfully reach with such a message are the mainstream, brick-and-mortar distributors that serve our industry. These distributors already refrain from selling pesticides to unlicensed persons or companies. What remains are the online purveyors of these insecticides – [DoMyOwnPestControl.com](#) and the rest. We realized that, even if we were successful in finding out who are the principals of [Amazon.com](#), or ePestSupply, or of the many other online merchants selling pesticides, we'd be tilting at windmills to suggest that these giants cease and desist at highly profitable practices that are, at-present, perfectly legal. We'd never be able to figure out whom to approach with our request; and if we did figure that out, we'd be laughed out onto the street.

That is why we are calling upon you as Commissioner of our Minnesota Department of Agriculture, with which we cherish a long history of cooperation, trust and shared commitment to service. Please rely on our support in favor of MDA's work on behalf of the people of Minnesota and its healthy environment. Be assured that it is our position as an Association that pest control products whose label language clearly states the products are intended by their manufacturers for purchase and use only by licensed professionals should be made unavailable to unlicensed persons. This would serve the interests of the people, natural resources, and environmental health of our state. Our association will enthusiastically support any action by your department that would limit access by unauthorized individuals to insecticides intended for professional use.



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cc. Gregg Regimbal

Greg Buzicky