



# Pesticide Regulation

Project Description

June 2019

## BACKGROUND

Pesticides are substances used to control weeds, insects, and plant diseases, among other things. In addition to agricultural purposes, pesticides may be used for nonagricultural purposes, such as caring for urban lawns and addressing rodent or insect infestations in buildings. Pesticide products are classified for general use or restricted use. Anyone can purchase and use a general-use pesticide. Restricted-use pesticides, on the other hand, must be sold by licensed pesticide dealers and used by certified applicators because they are more hazardous to human health and the environment.

The Minnesota Department of Agriculture (MDA) is the state's lead agency for enforcing state and federal pesticide regulations. MDA's Pesticide and Fertilizer Management Division is estimated to have spent about \$30 million in each of fiscal years 2018 and 2019, for both pesticide and fertilizer-related responsibilities. The division licenses pesticide dealers and applicators. It also issues permits to bulk-pesticide storage facilities and registers all general- and restricted-use pesticide products sold in Minnesota.

In order to enforce pesticide regulations, MDA conducts routine inspections of the various entities it licenses and permits. It also investigates complaints of pesticide misuse. MDA has the authority to issue administrative or financial penalties to those who violate certain pesticide regulations.

The Office of the Legislative Auditor (OLA) last evaluated pesticide regulation in 2006. In that report, OLA found that MDA generally did a good job regulating and monitoring pesticides. However, the evaluation team found some room for improvement, making ten recommendations to MDA and one to the Legislature.

## POSSIBLE EVALUATION ISSUES

1. How well does the Minnesota Department of Agriculture meet federal and state requirements for the registration of pesticide products, as well as the licensing and

permitting of pesticide applicators, dealers, and facilities?

2. To what extent does the Minnesota Department of Agriculture enforce pesticide regulations?
3. To what extent does the Minnesota Department of Agriculture have reasonable processes for monitoring the use and environmental effects of the state's pesticide-regulation activities?
4. How well is the state following the recommendations in OLA's 2006 *Pesticide Regulation* report, including the recommendation to improve access to waste-pesticide disposal across the state?

## DISCUSSION

We will use standard evaluation techniques to address our research questions. We will interview MDA staff and other interested stakeholders. We will review federal and state laws, as well as MDA policies and procedures related to pesticide regulation.

We will analyze data and review a sample of files from MDA's licensing and compliance data systems in order to determine the extent to which MDA is effectively regulating pesticide applicators, dealers, facilities, and products. We will also review water-quality monitoring data and learn about MDA's processes for evaluating the environmental effects of pesticide use.

While some state agencies other than MDA play minor roles related to pesticide regulation or employ staff certified to apply pesticides, we will not evaluate the performance or decisions of these agencies. Further, we will limit our review of MDA to pesticide regulation; we will not look into the department's functions related to fertilizers, food safety, or other areas.

This evaluation is scheduled to be completed in early 2020. For additional information, contact Sarah Delacueva, evaluation manager, at 651-296-1226 or [sarah.delacueva@state.mn.us](mailto:sarah.delacueva@state.mn.us).