



Councilman Wants Pesticide Ban Expanded

Some of the areas excluded from the Montgomery County ban are county parks and playing fields.

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A councilman in Montgomery County wants to remove area exempt from a pesticide ban, which passed in 2015.

According to the Sentinel, Councilman Tom Hucker said that the exemptions “should never have been there in the first place.” He added some exemptions were included to ensure the law passed with enough votes to be veto-proof.

You can read the entire article [by clicking here](#).

Karen Reardon, vice president, public affairs for RISE (Responsible Industry for a Sound Environment) said:

“We continue to believe the residents of Montgomery County should have the option of using state-approved pesticide products to treat pest and plant health problems on their private property. It will now be illegal for county residents to treat lawn and landscape pest and plant health problems on their own private property with state and federally approved pesticide products they can buy from retailers, and state-licensed lawn and landscape professionals will not be able to apply these products either.”

“We believe the law will have a negative effect on pest control. It also potentially will create a market for unlicensed applicators to treat lawns in the county. Such applicators do not participate in the training and certification required of licensed applicators. Unlike previously lawful applications, these applications would not have the recordkeeping required by Maryland Department of Agriculture (MDA) as part of its compliance tracking, and state-required signage may not be displayed. The county’s ban apparently will rely on neighbor on neighbor enforcement, rather than the usual systematic regulatory and enforcement program at MDA.”

A coalition of county lawn care, tree care, and landscape professionals, growers, individual residents, homeowners associations, and many others worked to bring information about state and federal pesticide regulation and product benefits to the county council’s deliberations about Bill 52-14 during 2015. Bill 52-14 passed in October 2015, and included a ban on state-approved pesticide use on county property.

RISE and CropLife America, along with companies, growers and individuals in 2016 challenged the law’s private property ban provisions as preempted by existing state law. The Circuit Court for Montgomery County ruled in favor of the plaintiffs in *Complete Lawn Care, et al, v. Montgomery County, Maryland*, in 2017. The county appealed the decision and in a May 2, 2019, opinion, Maryland’s Court of Special Appeals upheld the county’s ban on the use of lawn and landscape pesticides on private property.

RISE and other plaintiffs sought judicial review from Maryland’s highest court, the Court of Appeals, with broad support from many stakeholders, but the Court of Appeals denied that petition on July 11, 2019, according to RISE’s statement.