

# MAINE STATE LEGISLATURE

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# 123rd MAINE LEGISLATURE

## FIRST REGULAR SESSION-2007

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Legislative Document

No. 861

H.P. 650

House of Representatives, February 23, 2007

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### **An Act To Require a Commercial Applicator's License To Use Pesticides in Food-handling Establishments**

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Submitted by the Department of Agriculture, Food and Rural Resources pursuant to Joint Rule 204.

Reference to the Committee on Agriculture, Conservation and Forestry suggested and ordered printed.

*Millicent M. MacFarland*  
MILLICENT M. MacFARLAND  
Clerk

Presented by Representative SAVIELLO of Wilton.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 22 MRSA §1471-C, sub-§5-A**, as amended by PL 1987, c. 243, §2, is  
3 further amended to read:

4 **5-A. Custom application.** "Custom application" means ~~any~~ an application of ~~any~~ a  
5 pesticide under contract or for which compensation is received ~~or any~~ , an application of a  
6 pesticide to a property open to use by the public or an application of a pesticide in a food-  
7 handling establishment.

8 **Sec. 2. 22 MRSA §1471-C, sub-§9-A** is enacted to read:

9 **9-A. Food-handling establishment.** "Food-handling establishment" means a  
10 commercial, governmental or institutional facility, other than a private residence, where  
11 food is routinely stored, processed, prepared or served for human consumption, either on  
12 or off premises, including restaurants, cafeterias, delicatessens, warehouses, catering  
13 establishments, summer camps, campgrounds and food processing plants. "Food-  
14 handling establishment" does not include nonprofit organizations or persons engaged in  
15 fund-raising or booster activities.

16 **SUMMARY**

17 This bill requires a person applying pesticides anywhere in a food-handling  
18 establishment to have a commercial applicator license.