

**01 DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES**

**026 BOARD OF PESTICIDES CONTROL**

**Chapter 90: COMPLAINTS**

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SUMMARY: These regulations describe the procedure a person must follow in bringing a complaint to the Board and outline the steps the Board may take in response.

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**Section 1. Purpose**

The purpose of this section is to provide a formal procedure which assures that the Board of Pesticides Control will consider all complaints regarding uses of pesticides.

**Section 2. Complaint**

Any person, individual, corporation, unincorporated association, group of individuals or government agency may submit a complaint regarding any person, known or unknown, relative to the use of pesticides.

**Section 3. Address to Director**

All complaints shall be sent to the Director, Board of Pesticides Control, Department of Agriculture, 28 State House Station, Augusta, Maine 04333-0028. Anyone who cannot submit a complaint in writing to the Director may make arrangements with the Director or staff to record the content of the complaint in a manner and time frame convenient to the Director, staff and complainant. The Director may, at his/her discretion, investigate the complaint prior to Board action.

**Section 4. Placed on Board's Agenda**

The complaint shall be placed on the Board's agenda, the Board shall give reasonable notice to the complainant, the person who is the subject of the complaint, if known, and any other party the Director believes is interested in the complaint.

**Section 5. Considered**

The Board shall consider the complaint along with any information which the Director may have available, and take whatever action it deems necessary to protect the public's interest. Action could include taking no action, requesting the Board's staff to investigate the complaint, scheduling an informal hearing between the affected parties or instituting formal adjudicatory

proceedings. Any such consideration shall not constitute an adjudicatory proceeding within the meaning of chapter 70 of the Board's regulations.

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STATUTORY AUTHORITY: 22 M.R.S.A., Chapter 258-A

EFFECTIVE DATE:

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AMENDED:

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CONVERTED TO MS WORD:

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