

New Mexico Department of Agriculture  
Pesticide Rule Rulemaking Hearing

Moderated by Les Owen, Deputy Director  
Thursday, July 31, 2025  
10:59 a.m.

Central New Mexico Community College Workforce  
Training Center  
5600 Eagle Rock Avenue Northeast  
Albuquerque, NM 87113

Reported by: James Cogswell

JOB NO: 7452800

A P P E A R A N C E S

List of Attendees:

Les Owen, Deputy Director, New Mexico Department of  
Agriculture

Steve Baca, Assistant Division Director, New Mexico  
Department of Agriculture

Katie Laney, Assistant Division Director, New Mexico  
Department of Agriculture

Uriel Fuentes, Assistant Division Director, New Mexico  
Department of Agriculture

Vanessa Fisher, New Mexico Department of Agriculture

Candie Sweetser, New Mexico Department of Agriculture

Bradley Lewis, New Mexico Department of Agriculture

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P R O C E E D I N G S

MR. OWEN: Good morning. At this time, we will start the hearing that addresses the proposed repeal and replacement of the Pesticide rule, Title 21, Chapter 17, Part 50 of the New Mexico Administrative Code.

My name is Les Owen, and I am deputy director with the New Mexico Department of Agriculture. Today I will be officiating this hearing. Please make sure that you have signed in for the record and that your cell phone is off or silenced. Thank you.

Copies of the proposed amendments to the Pesticide rule were made available in strikethrough version and in clean copy form as you walked in. If you require copies, please hold your hand up and they will be provided to you.

The day and date is Thursday, July 31, 2025, and the time is 11 a.m. This hearing is being held in person at the Central New Mexico Community College Workforce Training Center in Albuquerque, New Mexico, at 5600 Eagle Rock Avenue Northeast. This is the published date, time, and location for this hearing.

A transcript of today's hearing will be

1 available from the department's webpage. Following a  
2 summary of the proposed primary amendments, the public  
3 will be provided an opportunity to provide testimony  
4 regarding the proposed rule.

5 Mr. Baca will now provide a summary of  
6 the public notices, primary proposed amendments to the  
7 Pesticide rule, and any related information.

8 MR. BACA: Good morning. I am Steve  
9 Baca, an assistant division director with the New  
10 Mexico Department of Agriculture. Pesticide rule is  
11 promulgated under the authority of the Pesticide Act  
12 to address the specifics that regulate the  
13 registration of pesticides, licensing of specific  
14 pesticide applicators, record keeping, storage and  
15 disposal of pesticides, fee structure, and other  
16 pesticide-related activities.

17 Public notices for this hearing were  
18 published as follows in accordance with state law:  
19 June 24, 2025, in the New Mexico Register; June 24,  
20 2025, in the Albuquerque Journal; June 24, 2025, in  
21 the Santa Fe New Mexican in Spanish and English; and  
22 June 25, 2025, in the Las Cruces Sun News.

23 Hearing notices were also posted on the  
24 New Mexico Sunshine Portal and New Mexico Department  
25 of Agriculture District Station in Albuquerque and on

1 New Mexico Department of Agriculture's website in  
2 Spanish and English.

3 Copies of the proposed rule were made  
4 available at the New Mexico Department of Agriculture  
5 Las Cruces main office and lab building, New Mexico  
6 Department of Agriculture Veterinary Diagnostic  
7 Services Lab in Albuquerque, New Mexico Department of  
8 Agriculture Peanut Grading Station in Portales, and on  
9 the department's website.

10 Notification and the proposed rule were  
11 sent to the New Mexico Economic Development Small  
12 Business Regulatory Advisory Commission and to  
13 Legislative Council Service. As of today, New Mexico  
14 Department of Agriculture has not received findings  
15 from either.

16 Notice of public hearings were also  
17 sent to pesticide licensed individuals and businesses  
18 impacted by the amendments; to the Pest Management  
19 Association, the state industry organization  
20 representing licensed pesticide applicators; and to  
21 the Household Consumer Product Association [sic], a  
22 national industry organization representing pesticide  
23 manufacturers.

24 Although the amendments are relatively  
25 few, the age of the Pesticide rule required a repeal

1 and replacement process to address updates to style  
2 and format in conjunction with New Mexico Department  
3 of Agriculture's proposed amendments. Primary  
4 proposed changes to the existing Pesticide rule  
5 include change in expiration dates of annual licenses  
6 from December 31st to January 31st and an increase in  
7 fees related to pesticide product registrations and  
8 licenses.

9                   Comments received to date were  
10 primarily directed at concerns related to the change  
11 in the expiration date and the possible loss for  
12 continuing education units. The change in expiration  
13 date was made to address relicensing issues that may  
14 occur during the winter holiday break when New Mexico  
15 Department of Agriculture staff are provided time off  
16 and are unable to return calls and help licensees with  
17 a -- within a one- or two-day period.

18                   New Mexico Department of Agriculture  
19 staff have made policy changes that will allow for a  
20 transition year to ensure no licensee will lose  
21 continuing education units. Adjustments to the  
22 continuing education units tracking system will also  
23 be made to ensure credits taken in January are applied  
24 either to the current or future licensing year to  
25 ensure a best benefit for the licensee. An

1 explanation regarding licensees concerns was posted on  
2 the New Mexico Department of Agriculture website and  
3 emailed to license holders.

4 Pesticide product registration fees are  
5 proposed to increase from 100 to 150 dollars per  
6 product. Product registration fees in other states  
7 range from \$100 to \$2300 per product. The majority of  
8 pesticide licenses are both -- are issued to license  
9 to commercial applicators. This fee is proposed to  
10 increase from \$75 to \$100 per license. Both Colorado  
11 and Texas have similar fee structure to New Mexico's  
12 with their commercial pesticide applicator license  
13 fees established at \$350 and \$125 respectively.

14 Increased -- increased fee revenue will  
15 be used to address mandated staff salary increases,  
16 replace reduction in EPA grants and expected  
17 reductions in USDA grants, and increased operational  
18 costs associated as a result of reductions in USDA  
19 state staff and EPA changes in continuing education  
20 units. Fees were last adjusted in 2010.

21 MR. OWEN: Thank you, Mr. Baca.

22 New Mexico Department of Agriculture  
23 has received written comments prior to this hearing  
24 from the following: Logan McGarrah, Emily Johnson,  
25 Jasmine Labine, Steve Kittrell, Bart Goetz, Keith

1 Settle, Kelby Riley, Otis Leach, William Cox, Russ  
2 Perkins, Ross Goetz, Joseph Ogden, Trent Murphree,  
3 Michael Ronquillo, Greg Alpers, and Steven Bennett on  
4 behalf of the Household & Commercial Products  
5 Association.

6 We will now open the floor for  
7 comments. Please begin by stating your name and  
8 affiliation for the record. Please restrict your  
9 comments to the proposed content of the rule. Please  
10 raise your hand and I will call on you. At this time,  
11 we will begin accepting comments.

12 Is there anyone wishing to comment?  
13 Seeing none, we will close the comment period for this  
14 hearing. Written comments will be accepted until  
15 5 p.m. Thursday, July 31, 2025. All public comments  
16 will be presented to the secretary/director of New  
17 Mexico Department of Agriculture, Mr. Jeff Witte, and  
18 will be submitted for consideration to the New Mexico  
19 State University Board of Regents.

20 Submitted comments and either a  
21 transcript of today's hearing and/or the recording  
22 will be available from New Mexico Department of  
23 Agriculture's webpage.

24 Thank you all for participating. We  
25 will close this hearing at 11:06 a.m.



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(Whereupon, at 11:06 a.m., the  
proceeding was concluded.)

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CERTIFICATE

I, JAMES COGSWELL, the officer before whom the foregoing proceedings were taken, do hereby certify that any witness(es) in the foregoing proceedings, prior to testifying, were duly sworn; that the proceedings were recorded by me and thereafter reduced to typewriting by a qualified transcriptionist; that said digital audio recording of said proceedings are a true and accurate record to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

August 14, 2025



JAMES COGSWELL  
Notary Public in and for the  
State of New Mexico

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CERTIFICATE OF TRANSCRIBER

I, RACHEL HUFF, do hereby certify that this transcript was prepared from the digital audio recording of the foregoing proceeding, that said transcript is a true and accurate record of the proceedings to the best of my knowledge, skills, and ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this was taken; and, further, that I am not a relative or employee of any counsel or attorney employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

August 14, 2025

A handwritten signature in black ink that reads "Rachel L. Huff". The signature is written in a cursive, flowing style.

RACHEL HUFF

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