

1 Introduced by Representative Cina of Burlington

2 Referred to Committee on

3 Date:

4 Subject: Agriculture, pesticides, neonicotinoid pesticides; retail sale

5 Statement of purpose of bill as introduced: This bill proposes to ban the retail  
6 sale of neonicotinoid pesticides in the State beginning on January 1, 2020,  
7 except for: pet care products used for preventing, destroying, repelling, or  
8 mitigating fleas, mites, ticks, heartworms, or other insects or organisms;  
9 personal care products used for preventing, destroying, repelling, or mitigating  
10 lice or bedbugs; and indoor pest control products used for preventing,  
11 destroying, repelling, or mitigating insects indoors. The bill would also ban  
12 the use, sale, and application of the herbicides atrazine and glyphosate.

13 An act relating to prohibiting the retail sale of neonicotinoid pesticides

14 It is hereby enacted by the General Assembly of the State of Vermont:

15 Sec. 1. 6 V.S.A. § 1101 is amended to read:

16 § 1101. DEFINITIONS

17 As used in this chapter unless the context clearly requires otherwise:

18 (1) “Secretary” shall have the meaning stated in subdivision 911(4) of  
19 this title.



- 1           (E) dinotefuran;
- 2           (F) thiacloprid;
- 3           (G) thiamethoxam; and
- 4           (H) any other chemical designated by the Secretary by rule.

5       Sec. 2. 6 V.S.A. § 1105b is added to read:

6       § 1105b. RETAIL SALE OF NEONICOTINOID PESTICIDES

7       A person shall not sell a neonicotinoid pesticide at retail in the State except  
8       for the following products:

9           (1) pet care products used for preventing, destroying, repelling, or  
10       mitigating fleas, mites, ticks, heartworms, or other insects or organisms;

11          (2) personal care products used for preventing, destroying, repelling, or  
12       mitigating lice or bedbugs; and

13          (3) indoor pest control products used for preventing, destroying,  
14       repelling, or mitigating insects indoors.

15       Sec. 3. 6 V.S.A. § 1105c is added to read

16       1105c. AUTHORIZED USE OF NEONICOTINOID PESTICIDES

17       Notwithstanding the prohibition on retail sale under section 1105b of this  
18       title, the Secretary of Agriculture, Food and Markets may authorize the retail  
19       sale of a neonicotinoid pesticide in the State upon a determination that a threat  
20       to human health, natural resources, biota, or crops exists that requires the use

1 or application of a neonicotinoid pesticide and no other pesticide or class of  
2 pesticides would be effective in addressing the threat.

3 Sec. 4. 6 V.S.A. § 1114 is added to read:

4 § 1114. USE, SALE, AND APPLICATION OF ATRAZINE

5 (a) Definition. As used in this section, “atrazine” means herbicide of the  
6 triazine class with the chemical name C<sub>8</sub>H<sub>14</sub>CINP and the Chemical Abstracts  
7 Service (CAS) registry number of 1912-24-9.

8 (b) Prohibition. No person shall sell, use, or apply atrazine except when  
9 authorized by the Secretary of Agriculture, Food and Markets under  
10 subsection (c) of this section.

11 (c) Authorized use. The Secretary of Agriculture, Food and Markets may  
12 authorize the use or application of atrazine upon a determination under  
13 section 1033 of this title that a plant pest exists that requires suppression or  
14 eradication due to the threat posed to Vermont crops and no other herbicide or  
15 class of herbicides would be effective in addressing the threat.

16 Sec. 5. 6 V.S.A. § 1115 is added to read:

17 § 1115. USE, SALE, AND APPLICATION OF GLYPHOSATE

18 (a) Definition. As used in this section, “glyphosate” means a systemic  
19 organophosphate herbicide with the chemical name C<sub>3</sub>H<sub>8</sub>NO<sub>5</sub>P and the  
20 Chemical Abstracts Service (CAS) registry number of 1071-83-6.

1        (b) Prohibition. No person shall sell, use, or apply glyphosate except when  
2        authorized by the Secretary of Agriculture, Food and Markets under subsection  
3        (c) of this section.

4        (c) Authorized use. The Secretary of Agriculture, Food and Markets may  
5        authorize the use or application of glyphosate upon a determination that a  
6        threat to Vermont crops exists that requires the use of glyphosate and no other  
7        herbicide or class of herbicides would be effective in addressing the threat.

8        Sec. 6. EFFECTIVE DATE

9        This act shall take effect on January 1, 2020.