

1 **Alternative 1: General Prohibition**

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

3 § 1101. DEFINITIONS

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

5 (1) “Secretary” ~~shall have~~ has the meaning stated in subdivision 911(4)
6 of this title.

7 (2) “Cumulative₂” when used in reference to a substance₂ means that the
8 substance so designated has been demonstrated to increase twofold or more in
9 concentration if ingested or absorbed by successive life forms.

10 (3) “Dealer or pesticide dealer” means any person who regularly sells
11 pesticides in the course of business, but not including a casual sale.

12 (4) “Economic poison” ~~shall have~~ has the meaning stated in subdivision
13 911(5) of this title.

14 (5) “Pest” means any insect, rodent, nematode, fungus, weed, or any
15 other form of terrestrial or aquatic plant or animal life or virus, bacteria, or
16 other microorganisms, ~~which~~ that the Secretary declares as being injurious to
17 health or environment. Pest ~~shall~~ does not mean any viruses, bacteria, or other
18 microorganisms on or in living humans or other living animals.

19 (6) “Pesticide” for the purposes of this chapter ~~shall be~~ is used
20 interchangeably with “economic poison.”

1 (7) “Treated article” means a pesticide or class of pesticides exempt
2 under 40 C.F.R. § 152.25(a) from regulation under the Federal Insecticide,
3 Fungicide, and Rodenticide Act, 7 U.S.C. § 136–136y.

4 (8) “Neonicotinoid pesticide” means any economic poison containing a
5 chemical belonging to the neonicotinoid class of chemicals.

6 (9) “Neonicotinoid treated article seeds” are treated article seeds that are
7 treated or coated with a neonicotinoid pesticide.

8 (10) “Perfluoroalkyl and polyfluoroalkyl substances” or “PFAS” means
9 a class of organic chemicals containing at least one fully fluorinated carbon
10 atom.

11 ~~(11) “Intentionally added” means the addition of a chemical in a product~~
12 ~~that serves an intended function in the product component.~~

13 Sec. 7. 6 V.S.A. § 1114 is added to read:

14 § 1114. PFAS IN PESTICIDES

15 A person shall not sell, offer for sale, use, or distribute in the State a
16 pesticide that has been adulterated in an amount exceeding 20 parts per trillion
17 by PFAS as an active, inactive, or inert ingredient.

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1 **Alternative 2. AAFM Report**

2 Sec. 6. AGENCY OF AGRICULTURE, FOOD AND MARKETS; REPORT
3 ON PFAS IN PESTICIDES

4 (a) As used in this section, “perfluoroalkyl and polyfluoroalkyl substances”
5 or “PFAS” means a class of organic chemicals containing at least one fully
6 fluorinated carbon atom.

7 (b) On or before January 15, 2025, the Secretary of Agriculture, Food and
8 Markets shall submit to the Senate Committee on Agriculture and the House
9 Committee on Agriculture, Food Resiliency, and Forestry a report on the
10 regulation of PFAS in pesticides sold in the State. The report shall include:

11 (1) a summary of the pesticides registered in the State that may contain
12 PFAS, either as an intentionally added ingredient, an inert ingredient, or from
13 leaching from a container;

14 (2) a summary of efforts by the U.E. Environmental Protection Agency
15 to prohibit or phase out the use of PFAS in pesticides or in containers in which
16 pesticides are distributed;

17 (3) a recommendation on whether the State should enact legislation,
18 adopt rule, or take other efforts to prohibit the sale, use, or distribution of
19 pesticides that contain PFAS as an ingredient or may contain PFAS due to
20 leaching from a container.