

1 H.915

2 Introduced by Committee on Agriculture and Forestry

3 Date:

4 Subject: Agriculture; pollinator protection; pesticides

5 Statement of purpose of bill as introduced: This bill proposes to require a  
6 person who sells treated article corn or soybean seed in the State to offer for  
7 sale untreated corn or soybean seed. The bill also requires the Secretary of  
8 Agriculture, Food and Markets to assess the effect of neonicotinoid-treated  
9 seeds on pollinator losses in the State. The bill also requires the Secretary of  
10 Agriculture, Food and Markets to develop and implement an educational  
11 program to inform users of pesticides in the State of the effects of pesticides on  
12 pollinators.

13 An act relating to the protection of pollinators

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

15 \* \* \* Treated Article Seed; Untreated Seed \* \* \*

16 Sec. 1. 6 V.S.A. § 641 is amended to read:

17 § 641. DEFINITIONS

18 As used in this chapter:

19 (1) "Agricultural seed" includes grass, forage, cereal, oil, fiber, and  
20 other kinds of crop seeds commonly recognized as agricultural seeds, lawn

1 seeds, and combinations of such seeds, and may include noxious weed seeds  
2 used as agricultural seed.

3 (2) “Secretary” means the Secretary of Agriculture, Food and Markets  
4 or ~~his or her~~ designee.

5 (3) “Agency” means the Agency of Agriculture, Food and Markets.

6 (4) “Flower seed” includes seed of herbaceous plants grown for their  
7 blooms, ornamental foliage, or other ornamental parts; and commonly known  
8 and sold under the name of flower seed.

9 \* \* \*

10 (7) “Vegetable seeds” include the seeds of those crops ~~which~~ that are  
11 grown in gardens and on truck farms and are generally known and sold under  
12 the name of vegetable or herb seeds in this State.

13 \* \* \*

14 (11) “Treated article pesticide” shall have the same meaning as “treated  
15 article” in section 1101 of this title.

16 (12) “Treated article corn or soybean seed” means a corn or soybean  
17 seed that is a treated article pesticide.

18 (13) “Untreated corn or soybean seed” means corn or soybean seed that  
19 is not a treated article pesticide.

1 Sec. 2. 6 V.S.A. chapter 35, subchapter 3 is added to read:

2 Subchapter 3. Seed Supply; Untreated Corn or Soybean Seed

3 § 650. SEED SUPPLY; UNTREATED CORN OR SOYBEAN SEED

4 A person who sells treated article corn or soybean seed in the State shall  
5 offer for sale untreated corn or soybean seed. As used in this section, “offer  
6 for sale” includes arranging for or taking orders for the delivery of untreated  
7 corn or soybean seed.

8 Sec. 3. IMPLEMENTATION OF REQUIREMENT TO OFFER

9 UNTREATED CORN OR SOYBEAN SEED

10 A person shall be required to offer untreated corn or soybean seed for sale  
11 under 6 V.S.A. § 650 beginning on July 1, 2018 for the purpose of use during  
12 the planting season in 2019.

13 Sec. 4. AGENCY OF AGRICULTURE, FOOD AND MARKETS REPORT

14 ON IMPACT OF NEONICOTINOID-TREATED SEEDS ON

15 POLLINATORS

16 (a) The Secretary of Agriculture, Food and Markets (Secretary) shall assess  
17 the effect of neonicotinoid-treated seeds on the loss of pollinator populations in  
18 Vermont by independently reviewing claims of pollinator losses by  
19 beekeepers. On or before January 15, 2019, the Secretary shall submit to the  
20 House Committee on Agriculture and Forestry and the Senate Committee on

1 Agriculture the results of the assessment of pollinator losses. The report shall  
2 include:

3 (1) data collected by the Secretary regarding pollinator losses in the  
4 State, provided that the data shall be provided in an aggregated form that does  
5 not disclose the identity of individual persons, households, or businesses from  
6 whom the data were obtained;

7 (2) the causes of pollinator losses;

8 (3) an assessment of whether neonicotinoid-treated seeds caused or  
9 contributed to any pollinator losses in Vermont; and

10 (4) recommendations, if any, for preventing pollinator losses in  
11 Vermont.

12 (b) As used in this section:

13 (1) “Economic poison” shall have the same meaning as in 6 V.S.A.  
14 § 911.

15 (2) “Neonicotinoid pesticide” means any economic poison containing a  
16 chemical belonging to the neonicotinoid class of chemicals.

17 (3) “Neonicotinoid-treated seed” means agricultural seed treated with a  
18 neonicotinoid pesticide.

19 **Sec. 5. EDUCATIONAL CAMPAIGN; PESTICIDES AND POLLINATORS**

20 The Secretary of Agriculture, Food and Markets shall develop and  
21 implement an educational program to inform users of pesticides in the State of

1 the effects of pesticides on pollinators and methods or techniques for  
2 mitigating the effects of pesticides on pollinators. The Secretary of  
3 Agriculture, Food and Markets shall conduct the educational program at least  
4 until July 1, 2020.

5 Sec. 6. EFFECTIVE DATE

6 This act shall take effect on July 1, 2018.