

1 * * * Restricted Use; Retail Sale; Neonicotinoid Pesticides * * *

2 Sec. A. 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 the same meaning ~~stated~~ as in subdivision
6 911(4) of this title.

7 * * *

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

10 (4) “Economic poison” shall have the same meaning ~~stated~~ as in
11 subdivision 911(5) of this title.

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

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

19 * * *

20 (8) “Farming” shall have the same meaning as in 10 V.S.A. § 6001.

1 (9) “Neonicotinoid pesticide” means any economic poison containing a
2 chemical belonging to the neonicotinoid class of chemicals, including:

3 (A) imidacloprid;

4 (B) nithiazine;

5 (C) acetamiprid;

6 (D) clothianidin;

7 (E) dinotefuran;

8 (F) thiacloprid;

9 (G) thiamethoxam; and

10 (H) any other chemical designated by the Secretary by rule.

11 Sec. B. 6 V.S.A. § 1105b is added to read:

12 § 1105b. RETAIL SALE OF NEONICOTINOID PESTICIDES

13 (a) Except as provided under subsection (b) of this section, a person shall
14 not sell a neonicotinoid pesticide for use for farming or gardening at retail in
15 the State unless:

16 (1) the person has a pesticide dealer license from the Secretary
17 authorizing the sale of restricted use pesticides; and

18 (2) the neonicotinoid pesticide is sold to a person with a Class A
19 applicator license.

20 (b) The prohibition on the retail sale of neonicotinoid pesticides shall not
21 apply to the following products:

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

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

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