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Act No. 145 (H.626). Agriculture; pesticides; pollinator health; neonicotinoid treated seed

An act relating to the sale, use, or application of neonicotinoid pesticides

This act requires the Secretary of Agriculture, Food and Markets (Secretary), after consultation with the Agricultural Innovation Board, to adopt by rule best management practices (BMPs) for the use of neonicotinoid treated article seeds in the State. “Neonicotinoid treated article seeds” are defined by the act as treated article seeds that are treated or coated with a neonicotinoid pesticide. In developing the rules, the Secretary is required to address specific issues, including establishment of threshold levels of pest pressure required prior to use of neonicotinoid treated article seeds, availability of nontreated article seeds, economic impact from crop loss as compared to crop yield when neonicotinoid treated article seeds are used, relative toxicities of different neonicotinoid treated article seeds, and the effects of neonicotinoid treated article seeds on human health and the environment. The act requires the Secretary to submit a copy of the proposed rules to the General Assembly prior to the final filing of the rules under the Administrative Procedure Act.

The act also requires the Agricultural Innovation Board to submit to the General Assembly a report regarding whether BMPs should be adopted for the use of treated article seeds that are not neonicotinoid treated article seeds. In addition, the act requires the Secretary to monitor managed pollinator health to establish pollinator health benchmarks for Vermont, including presence of pesticides in hives, mite pressure, disease pressure, mite control methods, genetic influence on survival, winter survival rate, and forage availability. The act authorizes the creation of two new positions at the Agency of Agriculture, Food and Markets to staff the Agency’s Residuals Management Program.

Effective Date: July 1, 2022.