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H.15

Introduced by Representative McCullough of Williston

Referred to Committee on

Date:

Subject: Agriculture; pesticides; water quality; chlorpyrifos; atrazine;  
glyphosate

Statement of purpose of bill as introduced: This bill proposes to prohibit the use, sale, or application of the pesticide chlorpyrifos and the use, sale, or application of the herbicides glyphosate and atrazine.

An act relating to the use of pesticide chlorpyrifos and the herbicides glyphosate and atrazine

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

Sec. 1. FINDINGS

The General Assembly finds that:

(1) Chlorpyrifos is a pesticide that can have significant neurological and developmental effects on children, is highly toxic to aquatic invertebrates, and has been found by the U.S. Environmental Protection Agency (EPA) in 15 percent of monitored agricultural streams and 26 percent of urban streams at greater than background levels.

1           (2) Atrazine is an herbicide that can cause human health problem, is  
2           highly toxic to aquatic and marine life, and has been shown by the EPA to be  
3           commonly present in agricultural runoff to surface waters.

4           (3) Glyphosate is an herbicide that the World Health Organization  
5           determined in 2015 to be a carcinogen, can be moderately toxic to rainbow  
6           trout and other aquatic life, and the U.S. Geological Survey detected  
7           glyphosate or its degradation product, aminomethylphosphonic acid, in up to  
8           69 percent of surface water samples in nine midwestern states.

9           (4) To protect human health and the environment, the State of Vermont  
10          should ban the use, sale, or application of chlorpyrifos, atrazine, and  
11          glyphosate.

12          Sec. 2. 6 V.S.A. §§ 1114–1116 are added to read:

13          § 1114. USE AND SALE OF CHLORPYRIFOS

14          (a) Definition. As used in this section, “chlorpyrifos” means a pesticide  
15          with the chemical name O,O-diethyl O-(3,5,6-trichloro-2-pyridinyl)-  
16          phosphorothioate and the Chemical Abstracts Service (CAS) Registry  
17          Number 2921-88-2.

18          (b) Prohibition. No person shall sell, use, or apply chlorpyrifos except  
19          when authorized by the Secretary of Agriculture, Food and Markets under  
20          subsection (c) of this section.

1        (c) Authorized use. The Secretary of Agriculture, Food and Markets may  
2        authorize the use or application of chlorpyrifos upon a determination that a  
3        threat to Vermont crops exists that requires the use of chlorpyrifos and no other  
4        pesticide or class of pesticides would be effective in addressing the threat.

5        § 1115. USE, SALE, AND APPLICATION OF ATRAZINE

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

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

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

17       § 1116. 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 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. 3. EFFECTIVE DATE

9        This act shall take effect on July 1, 2021.