

1 S.272

2 Introduced by Senator Gulick

3 Referred to Committee on

4 Date:

5 Subject: Agriculture; pesticides; second-generation anticoagulant rodenticides;
6 restricted use

7 Statement of purpose of bill as introduced: This bill proposes to require the
8 Secretary of Agriculture, Food and Markets to register second-generation
9 anticoagulant rodenticides as restricted use pesticides that may only be used by
10 certified pesticide applicators.

11 An act relating to the regulation of second-generation anticoagulant
12 rodenticides

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

14 Sec. 1. 6 V.S.A. § 911 is amended to read:

15 § 911. DEFINITIONS

16 As used in this chapter:

17 * * *

18 (4) “Secretary” means the Secretary of Agriculture, Food and Markets.

19 (5) “Economic poison” means:

1 (A) any substance produced, distributed, or used for preventing,
2 destroying, or repelling any insects, rodents, nematodes, fungi, weeds, or other
3 forms of plant or animal life or viruses, except viruses on or in living humans
4 or other animals, ~~which~~ that the Secretary shall declare to be a pest;

5 (B) any substance produced, distributed, or used as a plant regulator,
6 defoliant, or desiccant.

7 * * *

8 (18) “Rodenticide” means any substance or mixture of substances
9 intended for preventing, destroying, repelling, or mitigating rodents or any
10 other vertebrate animal that the Secretary shall declare to be a pest.

11 * * *

12 (29) “Second-generation anticoagulant rodenticide” means any
13 rodenticide containing any one of the following active ingredients:
14 brodifacoum; bromadiolone; difenacoum; or difethialone.

15 Sec. 2. 6 V.S.A. § 918(g) is added to read:

16 (g) The Secretary shall register as a restricted use pesticide any second-
17 generation anticoagulant rodenticide that is distributed, sold, sold into, or
18 offered for sale within the State or delivered for transportation or transported in
19 intrastate commerce or between points within this State through any point
20 outside this State.

1 Sec. 3. RULEMAKING; SECOND-GENERATION ANTICOAGULANT
2 RODENTICIDE

3 (a) As used in this section, “second-generation anticoagulant rodenticide”
4 means any rodenticide containing any one of the following active ingredients:
5 brodifacoum; bromadiolone; difenacoum; or difethialone.

6 (b) The Secretary of Agriculture, Food and Markets shall adopt rules to
7 ensure that the use of second-generation anticoagulant rodenticides by certified
8 pesticide applicators shall not result in significant adverse effects to nontarget
9 wildlife. As used in this subsection, “significant adverse effect” means a direct
10 or indirect activity that negatively affects the health or viability of a wildlife
11 population or that damages or threatens wildlife habitat.

12 Sec. 4. REPORT; USE OF SECOND-GENERATION ANTICOAGULANT
13 RODENTICIDES

14 On or before January 1, 2026, the Secretary of Agriculture, Food and
15 Markets shall submit to the Senate Committee on Agriculture and the House
16 Committee on Agriculture, Food Resiliency, and Forestry a report regarding
17 the use and regulation of second-generation anticoagulant rodenticides. The
18 report shall:

19 (1) summarize readily available, peer-reviewed scientific literature
20 analyzing the effects of the use of second-generation anticoagulant
21 rodenticides on the environment and health; and

1 (2) summarize the environmental and health benefits and consequences
2 of regulating the use of second-generation anticoagulant rodenticides as
3 restricted use pesticides in Vermont, including whether and to what extent the
4 regulation of second-generation anticoagulant rodenticides has impacted
5 wildlife, public health, and agriculture.

6 Sec. 5. EFFECTIVE DATE

7 This act shall take effect on July 1, 2024.