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H.372

Introduced by Representative O'Brien of Tunbridge

Referred to Committee on

Date:

Subject: Agriculture

Statement of purpose of bill as introduced: This bill proposes to prohibit the application of neonicotinoid pesticides to nursery starts or potted plants.

An act relating to application of neonicotinoid pesticides to nursery starts and herbaceous plants

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

Sec. 1. 6 V.S.A. § 1101 is amended to read:

§ 1101. DEFINITIONS

As used in this chapter unless the context clearly requires otherwise:

(1) "Secretary" has the same meaning stated in subdivision 911(4) of this title.

* * *

(4) "Economic poison" has the same meaning stated in subdivision 911(5) of this title.

* * *

1 (2) the outdoor application of neonicotinoid pesticides to soybeans or
2 any crop in the cereal grains crop group (crop groups 15, 15-22, 16, and 16-
3 22);

4 (3) the outdoor application of neonicotinoid pesticides to crops in the
5 leafy vegetables; brassica; bulb vegetables; herbs and spices; and stalk, stem,
6 and leaf petiole vegetables crop groups (crop groups 3, 3-07, 4, 4-16, 5, 5-16,
7 19, 22, 25, and 26) harvested after bloom; ~~and~~

8 (4) the application of neonicotinoid pesticides to ornamental plants; and

9 (5) the application of neonicotinoid pesticides to nursery starts or potted
10 plants.

11 (b) The Secretary of Agriculture, Food and Markets, after consultation with
12 the Secretary of Natural Resources, may issue a written exemption order to
13 suspend the provisions of subsection (a) of this section if the Secretary
14 determines that:

15 (1) a valid environmental emergency or agricultural emergency exists;

16 (2) the pesticide would be effective in addressing the environmental
17 emergency or the agricultural emergency; and

18 (3) no other, less harmful pesticide or pest management practice would
19 be effective in addressing the environmental emergency or the agricultural
20 emergency.

1 (c) A written exemption order issued under subsection (b) of this section
2 shall:

3 (1) not be valid for more than one year;

4 (2) specify the neonicotinoid pesticides, uses, and crops, or plants to
5 which the exemption order applies; the date on which the exemption order
6 takes effect; the exemption order's duration; and the exemption order's
7 geographic scope, which may include specific farms, fields, or properties; and

8 (3) provide a detailed evaluation determining that an agricultural
9 emergency or an environmental emergency exists.

10 (d) A written exemption order issued under subsection (b) of this section
11 may:

12 (1) establish restrictions related to the use of neonicotinoid pesticides to
13 which the exemption order applies to minimize harm to pollinator populations,
14 bird populations, ecosystem health, and public health; or

15 (2) establish other restrictions related to the use of neonicotinoid
16 pesticides to which the exemption order applies that the Secretary of
17 Agriculture, Food and Markets considers necessary.

18 * * *

19 Sec. 3. EFFECTIVE DATE

20 This act shall take effect on July 1, 2025.