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1	H.372
2	Introduced by Representative O'Brien of Tunbridge
3	Referred to Committee on
4	Date:
5	Subject: Agriculture
6	Statement of purpose of bill as introduced: This bill proposes to prohibit the
7	application of neonicotinoid pesticides to nursery starts or potted plants.
8 9	An act relating to application of neonicotinoid pesticides to nursery starts and herbaceous plants
10	It is hereby enacted by the General Assembly of the State of Vermont:
11	Sec. 1. 6 V.S.A. § 1101 is amended to read:
12	§ 1101. DEFINITIONS
13	As used in this chapter unless the context clearly requires otherwise:
14	(1) "Secretary" has the same meaning stated in subdivision 911(4) of
15	this title.
16	* * *
17	(4) "Economic poison" has the same meaning stated in subdivision
18	911(5) of this title.

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1	(6) "Pesticide" for the purposes of this chapter is used interchangeably
2	with "economic poison."
3	* * *
4	(8) "Neonicotinoid pesticide" means any economic poison containing

(8) "Neonicotinoid pesticide" means any economic poison containing a chemical belonging to the neonicotinoid class of chemicals.

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- (15) "Ornamental plants" mean perennials, annuals, and groundcover purposefully planted for aesthetic reasons.
- (16) "Nursery starts" are young plants that have been grown in a nursery and are ready to be transplanted. "Nursery starts" may be known as seedlings or starter plants.
- 12 (17) "Potted plant" means any herbaceous, horticultural, or ornamental
 13 plant sold in a container that is less than a gallon in size and that is not a
 14 nursery start.
- Sec. 2. 6 V.S.A. § 1105c is amended to read:
- 16 § 1105c. NEONICOTINOID PESTICIDES; PROHIBITED USES
- 17 (a) The following uses of neonicotinoid pesticides are prohibited:
- (1) the outdoor application of neonicotinoid pesticides to any cropduring bloom;

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emergency.

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	<u>plants</u> .
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

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.