

1 H.739

2 ~~SHORT FORM~~

3 Introduced by Representatives Cole of Hartford, Arsenault of Williston,
4 Berbeco of Winooski, Bos-Lun of Westminster, Boyden of
5 Cambridge, Chapin of East Montpelier, Cina of Burlington,
6 Eastes of Guilford, Krasnow of South Burlington, Masland of
7 Thetford, McCann of Montpelier, McGill of Bridport, Morrow
8 of Weston, Mrowicki of Putney, O'Brien of Tunbridge, Ode of
9 Burlington, Priestley of Bradford, and Tomlinson of Winooski

10 Referred to Committee on

11 Date:

12 Subject: Agriculture; pests and plant diseases; control of pesticides; herbicides;
13 paraquat; prohibition

14 Statement of purpose of bill as introduced: This bill proposes to prohibit the
15 use and sale of the herbicide paraquat in the State. The bill would also define
16 paraquat to include herbicides known as "paraquat," "paraquat dichloride," and
17 "paraquat bis(methylsulfate)." The bill would authorize limited exemptions to
18 the prohibition on the use of paraquat only when no other less harmful
19 pesticide would be effective in addressing an environmental or agricultural
20 emergency. These exemption orders would be valid for up to one year and

1 would specify the paraquat to be used, the permitted uses of the paraquat, the
2 order's date and duration, and the order's geographic scope.

3 An act relating to prohibiting the use and sale of the herbicide paraquat

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

5 ~~(TEXT OMITTED IN SHORT FORM BILL)~~

Sec. 1. FINDINGS

The General Assembly finds that:

(1) Paraquat or paraquat dichloride is a synthetic, nonselective contact herbicide that is a member of the bipyridylium chemical family and that defoliates all vegetation that it touches.

(2) Paraquat was first registered in the United States in 1964, and, in 1978, the U.S. Environmental Protection Agency (EPA) classified all paraquat products as restricted use pesticides because of paraquat's high acute toxicity and potential for poisoning.

(3) Paraquat has been widely used throughout the United States since its classification as a restricted use pesticide, and 24 currently registered pesticide products approved for use in the United States contain paraquat.

(4) The Pesticide Action Network's 2024 Consolidated List of Banned Pesticides identifies 72 countries as banning the use of paraquat, including

Brazil, China, Malaysia, Peru, Saudi Arabia, South Korea, Turkey, and Vietnam.

(5) The European Union banned paraquat in 2007 after a court determined that the relevant regulatory body had failed to apply proper procedures for evaluation of the herbicide and that the regulatory body was not properly thorough in its assessments of paraquat's effects on human and animal health.

(6) Multiple studies by the National Institutes of Health have demonstrated that paraquat exposure substantially increases the risk of Parkinson's disease in those exposed to the herbicide.

(7) Studies by the National Institutes of Health and others have linked exposure to paraquat to increased risk of non-Hodgkin lymphoma and childhood leukemia.

(8) In 2021, as part of a product registration review of paraquat required under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), the EPA issued an interim decision approving the continued registration of paraquat for use in the United States, despite multiple public comments objecting to approval and significant scientific evidence regarding the potential health effects of paraquat exposure.

(9) Multiple parties subsequently moved to challenge the EPA interim decision authorizing the continued registration and use of paraquat. In

particular, the challenging parties contested the EPA's assessment of the increased risk of Parkinson's disease due to exposure to paraquat from volatilization during use.

(10) In January 2025, after a petition from the EPA, a court allowed the EPA to withdraw the interim registration approval for paraquat so that the EPA may reconsider its initial conclusion concerning the potential for paraquat to volatilize and to determine whether paraquat continues to meet FIFRA's registration standard.

(11) In October 2025, the EPA issued a memorandum titled PARAQUAT: Review of the Volatilization Potential of Paraquat from Field Uses and determined that there is a greater uncertainty regarding the potential for paraquat to volatilize than previously understood. The EPA concluded that more data is needed to understand the risk paraquat poses to bystanders.

(12) The EPA's reevaluation of the risks of paraquat may take years, and the EPA's withdrawal of the interim registration and further evaluation does not prohibit the continued use of paraquat during that review period.

(13) Instead of waiting for EPA action on whether or how to use paraquat, the State of Vermont should ban the use of paraquat in order to protect Vermonters from the known, significant health effects of exposure to paraquat.

~~See 2026 KS 4, § 1105d is added to read:~~

§ 1105d. USE AND SALE OF PARAQUAT; REPORT

(a) Definition. As used in this section, “paraquat” means an herbicide:

(1) known as paraquat, with the chemical name 1,1'-Dimethyl-4,4'-bipyridinium ion and the Chemical Abstracts Service (CAS) registry number 4685-14-7,

(2) known as paraquat dichloride, with the chemical name 1,1'-Dimethyl-4,4'-bipyridinium dichloride and the CAS registry number 1910-42-5;

(3) known as paraquat dimethyl sulfate, with the chemical name 1,1'-Dimethyl-4,4'-bipyridinium dimethyl sulfate and the CAS registry number 2074-50-2; or

(4) known as paraquat, with the chemical name 1,1'-Dimethyl-4,4'-bipyridinium ion and all salts thereof.

(b) Prohibition. No person shall sell, use, or apply paraquat except when authorized by the Secretary of Agriculture, Food and Markets under subsection

(c) of this section.

(c) Authorized use. The Secretary may issue a written permit for the sale, use, or application of paraquat within fruit-producing tree orchards only on or before November 1, 2030. The Secretary shall ensure that any authorized certified applicator of paraquat has received all training required by the

~~Environmental Protection Agency and the Agency of Agriculture, Food and Markets not more than one year prior to receiving a permit for authorized use of paraquat. A written exemption order under this subsection shall:~~

~~(1) not be valid for more than three years or until November 1, 2030, whichever comes first; and~~

~~(2) specify the paraquat, uses, and crops or plants to which the permit applies; the date the permit takes effect; the permit's duration; and the permit's geographic scope, which may include specific farms, fields, or properties.~~

~~(d) Reporting. The Secretary shall report annually on all data regarding any use of paraquat in the State. The report shall include the amount of paraquat used and the date and location where the paraquat was used. The Secretary shall submit the report to the House Committee on Agriculture, Food Resiliency, and Forestry and the Senate Committee on Agriculture on or before December 15 of each year.~~

~~Sec. 3. ALTERNATIVES TO PARAQUAT; STUDY; REPORT~~

~~The Agricultural Innovation Board shall study and report on recommendations for alternatives to the use of paraquat for farmers. The report shall include pesticide alternatives to paraquat, recommendations for practices that reduce the use of and exposure to paraquat, and methods and standards for transitioning farmers to practices that reduce paraquat usage.~~

~~The report shall also include recommendations for alternative pesticides to paraquat and alternative farming practices to reduce the usage of paraquat in the event paraquat becomes unavailable due to regulatory or commercial action prior to November 1, 2030. On or before January 15, 2027, the Agricultural Innovation Board shall submit the report to the House Committee on Agriculture, Food Resiliency, and Forestry and the Senate Committee on Agriculture.~~

Sec. 4. EFFECTIVE DATES

~~(a) This section and Sec. 3 (alternatives to paraquat; study; report) shall take effect on July 1, 2026.~~

~~(b) All other sections shall take effect on November 1, 2026.~~

Sec. 1. 6 V.S.A. § 1105d is added to read:

§ 1105d. USE AND SALE OF PARAQUAT; REPORT

(a) Definition. As used in this section, “paraquat” means an herbicide:

(1) known as paraquat, with the chemical name 1,1'-Dimethyl-4,4'-bipyridinium ion and the Chemical Abstracts Service (CAS) registry number 4685-14-7;

(2) known as paraquat dichloride, with the chemical name 1,1'-Dimethyl-4,4'-bipyridinium dichloride and the CAS registry number 1910-42-5;

(3) known as paraquat dimethyl sulfate, with the chemical name 1,1'-Dimethyl-4,4'-bipyridinium dimethyl sulfate and the CAS registry number 2074-50-2; or

(4) known as paraquat, with the chemical name 1,1'-Dimethyl-4,4'-bipyridinium ion and all salts thereof.

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

(c) Authorized use. The Secretary may issue a written permit for the sale, use, or application of paraquat within fruit-producing tree orchards or for growing any crop listed in the U.S. Department of Agriculture Crop Group 13-07: Berry and Small Fruit Crop Group on or before December 31, 2030. The Secretary shall ensure that any authorized certified applicator of paraquat has received all training required by the Environmental Protection Agency and the Agency of Agriculture, Food and Markets not more than one year prior to receiving a permit for authorized use of paraquat. A written exemption order under this subsection shall:

(1) be valid for not more than three years or until December 31, 2030, whichever comes first;

(2) specify the name on the label of the paraquat, uses, and crops or plants to which the permit applies; the date the permit takes effect; the

permit's duration; and the permit's geographic scope, which may include specific farms, fields, or properties; and

(3) include permit conditions that minimize drift based on drift mitigation measures identified by the Environmental Protection Agency, require adherence to label directions to minimize applicator exposure, and exclusively limit applications to tree rows or vine rows for necessary weed control.

(d) Reporting. The Secretary shall report annually on all data regarding any use of paraquat in the State. The report shall include the amount of paraquat used and the date and location where the paraquat was used. The Secretary shall submit the report to the House Committee on Agriculture, Food Resiliency, and Forestry and the Senate Committee on Agriculture on or before December 15 of each year.

Sec. 2. EFFECTIVE DATE

This act shall take effect on November 1, 2026.