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H.739

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

The Senate proposes to the House to amend the bill by striking out all after the enacting clause and inserting in lieu thereof the following:

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.

1       (c) Authorized use. The Secretary may issue a written permit for the sale,  
2 use, or application of paraquat within fruit-producing tree orchards or for  
3 growing any crop listed in the U.S. Department of Agriculture Crop Group 13-  
4 07: Berry and Small Fruit Crop Group on or before December 31, 2030. The  
5 Secretary shall ensure that any authorized certified applicator of paraquat has  
6 received all training required by the Environmental Protection Agency and the  
7 Agency of Agriculture, Food and Markets not more than one year prior to  
8 receiving a permit for authorized use of paraquat. A written exemption order  
9 under this subsection shall:

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

12           (2) specify the name on the label of the paraquat, uses, and crops or  
13 plants to which the permit applies; the date the permit takes effect; the permit's  
14 duration; and the permit's geographic scope, which may include specific  
15 farms, fields, or properties; and

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

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

7        Sec. 2. EFFECTIVE DATE

8        This act shall take effect on November 1, 2026.