



AGENCY OF AGRICULTURE, FOOD & MARKETS

Division of Plant Industry

Steve Dwinell, Director

www.agriculture.vermont.gov

116 State Street • Montpelier, Vermont 05620-2901

January 13, 2026

Hon. Trevor Squirrel, Chair
Legislative Committee on Administrative
Rules
Vermont State House
Montpelier, Vermont 05602

Amendments to Final Proposed Rule

Dear Chairperson Squirrel and Members:

The Agency of Agriculture, Food and Markets is providing this letter at the request of Legislative Counsel to explain the changes made since the filing of the proposed rule. The changes made are provided below with language alterations indicated in italics.

Section 1

Section 1.01 is amended to add the following language after the words “4) these rules.”

It is also important to understand that these rules are recommended best management practices. Following these rules is recommended because using good practices may provide important benefits and we all have an interest in working together to protect our shared environment. While these rules are recommendations, they do not amend, change, or override any other existing legal requirement, or implicitly grant permission to violate any other applicable law. As a result, when these rules suggest that you “should” take a particular action, they do not provide authority to disregard the recommendation when another law creates a requirement. Simply put, other laws may apply to your use of neonicotinoid pesticides or treated articles and must be followed when applicable. To remain compliant with all relevant legal requirements, practitioners need to understand the full complement of all applicable laws, including the Vermont Rule for the Control of Pesticides and the Required Agricultural Practices Rule, which includes a helpful section (entitled “Roles of Other State Agencies: Information”) that outlines some related requirements that could potentially apply.

Section 1.02 is amended to add the following language after the words “whenever reasonable and practical.”

Please also see Section 1.01 above, and understand that additional legal requirements may apply.