



General Assembly

January Session, 2025

Raised Bill No. 6916

LCO No. 3920



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING THE USE OF NEONICOTINOIDS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this
2 section, "environmental emergency" means the occurrence of any pest
3 that presents an imminent risk of significant harm or injury to public
4 health or to the environment, and "neonicotinoid" has the same meaning
5 as provided in section 22-61k of the general statutes, as amended by this
6 act.

7 (b) On and after January 1, 2028, no person shall use or apply any
8 neonicotinoid to treat any: (1) Golf course; (2) turf grass; (3) lawn; (4)
9 playing field; (5) outdoor ornamental plant; (6) property owned by or
10 leased to the state or any municipality; or (7) corn, wheat or soybean.
11 The provisions of this subsection shall not apply to neonicotinoid
12 applications made within one foot of a building foundation's perimeter
13 to manage structural pests.

14 (c) (1) The Commissioner of Energy and Environmental Protection
15 may issue a written order to suspend the provisions of subsection (b) of

16 this section if the commissioner determines that: (A) An environmental
 17 emergency exists; (B) the use of a neonicotinoid will be effective in
 18 addressing such environmental emergency; (C) the use of a
 19 neonicotinoid will not cause unreasonable adverse effects on the
 20 environment, including on nontarget organisms, surface water quality
 21 and groundwater quality; and (D) no other less harmful pesticide or pest
 22 management practice will be effective to address such environmental
 23 emergency. Any order issued pursuant to this subdivision shall be for a
 24 period of not more than one year and shall constitute a public record.
 25 The commissioner shall make any such order publicly available on the
 26 Department of Energy and Environmental Protection's Internet web
 27 site.

28 (2) Any order issued pursuant to subdivision (1) of this subsection
 29 shall: (A) Provide the basis for the determinations made by the
 30 commissioner pursuant to subdivision (1) of this section; (B) specify the
 31 neonicotinoid pesticides, uses and purposes to which such order
 32 applies; and (C) specify such order's geographic scope, start date and
 33 duration.

34 (3) Any order issued pursuant to subdivision (1) of this subsection
 35 may establish restrictions related to such neonicotinoid use for the
 36 purpose of minimizing harm to public health and the environment,
 37 including, but not limited to, any harm to nontarget organisms, surface
 38 water quality and groundwater quality.

39 Sec. 2. (NEW) (*Effective from passage*) (a) For purposes of this section,
 40 "unreasonable adverse effects on the environment" has the same
 41 meaning as provided in subsection (z) of section 22a-47 of the general
 42 statutes and "neonicotinoid" has the same meaning as provided in
 43 section 22-61k of the general statutes, as amended by this act.

44 (b) On and after January 1, 2029, no person shall distribute, sell, offer
 45 for sale or use any agricultural seed for corn, wheat or soybean if such
 46 seed is treated with a neonicotinoid unless a waiver is issued by the

47 Commissioner of Agriculture to the user of such seed pursuant to
48 subsection (c) of this section.

49 (c) (1) The Commissioner of Agriculture may, in consultation with
50 the Commissioner of Energy and Environmental Protection, issue a
51 waiver to allow the use of agricultural seeds treated with a
52 neonicotinoid for the production of agricultural commodities only upon
53 application by a person who has (A) completed an integrated pest
54 management training; (B) conducted a pest risk assessment; and (C)
55 submitted to the Commissioner of Agriculture a pest risk assessment
56 report. The Commissioner of Agriculture may issue such waiver if, after
57 review of the requisite pest risk assessment report, the Commissioner of
58 Agriculture determines that: (i) The occurrence of a pest presents a
59 significant risk of imminent harm, injury or loss to agricultural crops;
60 (ii) the use of agricultural seeds treated with a neonicotinoid will be
61 effective in addressing the subject pest risk; (iii) the use of agricultural
62 seeds treated with a neonicotinoid will not cause unreasonable adverse
63 effects on the environment, including, but not limited to, nontarget
64 organisms, surface water quality and groundwater quality; and (iv) no
65 other less harmful seed treatment, pesticide or pest management
66 practice will be effective in addressing the pest risk. Any waiver issued
67 pursuant to this subdivision shall be for a period not to exceed one year
68 and shall, in addition to all applicable application materials, constitute
69 a public record. The commissioner shall make any such application and
70 application materials available on the Department of Agriculture's
71 Internet web site.

72 (2) Any waiver issued pursuant to subdivision (1) of this subsection
73 shall: (A) Provide the basis for the determinations made by the
74 Commissioner of Agriculture pursuant to subdivision (1) of this
75 subsection; (B) specify the waiver's geographic scope, which may
76 include only those properties identified in the applicant's pest risk
77 assessment report; and (C) specify the waiver's start date and duration.

78 (d) The Commissioner of Agriculture, in consultation with the

79 Commissioner of Energy and Environmental Protection and the
80 Director of the Connecticut Agricultural Experiment Station, may adopt
81 regulations, in accordance with the provisions of chapter 54 of the
82 general statutes, for the issuance of waivers pursuant to subsection (c)
83 of this section. Such regulations may establish fees for any such waiver
84 application for the purpose of defraying associated administrative costs.
85 Any such fee collected in accordance with this subsection shall be
86 deposited in the General Fund.

87 Sec. 3. Section 22-61k of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective from passage*):

89 Not later than January 1, 2017, the Commissioner of Agriculture, in
90 collaboration with the Connecticut Agricultural Experiment Station and
91 the Department of Energy and Environmental Protection, shall develop
92 best practices for minimizing the airborne liberation of neonicotinoid
93 insecticide dust from treated seeds and mitigating the effects of such
94 dust on pollinators. Such best practices shall include, but not be limited
95 to: (1) Methods to minimize such dust when treated seeds are dispensed
96 from a seed bag into seed planter equipment; (2) guidance on the
97 positioning of the vacuum system discharge of seed planter equipment
98 to direct such discharge toward the soil; (3) time frames for the mowing
99 of flowering vegetation located next to crop fields; (4) identification of
100 weather conditions that minimize drift of such dust; and (5) suggestions
101 for the use of seed lubricants to effectively minimize the drift of such
102 dust. Each such state agency shall make the best practices developed
103 pursuant to this section available to farmers, any person who owns,
104 operates or manages a farm or an agricultural facility and the general
105 public by posting such best practices on the Internet web site of such
106 state agency not later than February 15, 2017. For purposes of this
107 section, section 22-90a, subsection (l) of section 22a-50, sections 22a-61a
108 and 22a-61b, sections 1 and 2 of this act and section 6 of public act 16-17,
109 "neonicotinoid," means any pesticide that acts selectively on the
110 nicotinic acetylcholine receptors of an organism, including clothianidin,
111 dinotefuran, imidacloprid, acetamiprid, thiamethoxam and any other

112 such pesticide that the Commissioner of Energy and Environmental
113 Protection, after consultation with the Connecticut Agricultural
114 Experiment Station, determines will result in the death of fifty per cent
115 or more of a population of bees when two micrograms or less of such
116 pesticide is applied to each bee within such population.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	22-61k

Statement of Purpose:

To restrict the use of neonicotinoids for certain commercial and agricultural applications.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]