

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-120

AN ACT CONCERNING THE USE OF CHLORPYRIFOS ON GOLF COURSES
Title: AND NEONICOTINOIDS FOR NONAGRICULTURAL USE.

Vote Date: 3/4/2022

Vote Action: Joint Favorable Substitute

PH Date: 2/25/2022

File No.:

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SPONSORS OF BILL:

Rep David Michel, 146th Dist.
Rep Jennifer Leeper, 132nd Dist.
Rep Cristin McCarthy Vahey, 133rd Dist.
Rep Anne M. Hughes, 135th Dist.
Rep Michael A. Winkler, 56th Dist.
Rep Geraldo C. Reyes, 75th Dist.
Rep Brandon Chafee, 33rd Dist.
Rep Patricia A. Dillon, 92nd Dist.

Rep John K. Hampton, 16th Dist.
Rep. Mitch Bolinsky, 106th Dist.
Rep Christine Palm, 36th Dist.
Rep Lucy Dathan, 142nd Dist.
Sen Will Haskell, 26th Dist.
Rep Josh Elliott, 88th Dist.
Rep Maria P. Horn, 64th Dist.

REASON FOR THE BILL:

To prohibit the use of chlorpyrifos on golf courses and for nonagricultural use and to restrict the use of neonicotinoids for nonagricultural use because of concerns that they are adversely affecting the environment and pose a serious health threats to humans and wildlife.

SUBSTITUTE LANGUAGE – LCO. NO. 2715

Clarified language in sec.2 to provide prohibition for any nonagricultural plant use of such pesticides and added definition of the term agricultural plant.

RESPONSE FROM ADMINISTRATION/AGENCY:

None Expressed

NATURE AND SOURCES OF SUPPORT:

Lori Brown, Executive Director, Connecticut League of Conservation Voters

Supports SB 120 and supports the recommendations offered in the testimony of Beyond Pesticides. Neonicotinoids are major factors in the death of pollinators and other wildlife. In 2019 Connecticut pest control companies sprayed approximately 758 gallons of Chlorpyrifos on golf courses and crops in residential areas raising health concerns.

Laura Cahn, Chairwoman, New Haven Environmental Advisory Council

The New Haven Board of Alders passed a resolution banning use of pesticides on green spaces in 2017 and the ban cannot be enforced unless you pass this bill.

Alicea Charamut, Executive Director, Rivers Alliance

Chlorpyrifos is a highly toxic pesticide derived from a nerve gas and is a particular threat to children. Consider the information provided by Tara Cook-Littman on the dangers of this chemical. Neonicotinoids are neurotoxic pesticides linked to massive bee and insect losses.

Patrick M. Comins, Executive Director, The Connecticut Audubon Society

Chlorpyrifos is toxic to birds, freshwater fish, aquatic invertebrates and estuarine and marine organisms. Additionally, neonicotinoids can be extremely toxic to birds.

Tara Cook-Littman, Ban Chlorpyrifos Now

Lists many articles and studies on the dangers of the toxic chemicals Chlorpyrifos and Neonicotinoids.

Jason Davidson, Senior Food and Agriculture Campaigner, Friends of the Earth

Friends of the Earth requests the Section 2(2) read as follows: Not later than January 1, 2023, a person shall not sell, possess, or use pesticides containing neonicotinoids, as defined in section 22-61K, (that are labeled for nonagricultural use, as restricted use pursuant to subdivision (2) of subsection © of this section) except on an agricultural plant. The provisions of Section 2(1)2 shall not apply to a pet care, veterinary, personal care, or indoor pest control pesticide product. For purposes of the subsection, "Agricultural plant" means a plant, or part of a plant, grown, maintained, or otherwise produced for sale or trade, for research of experimental purposes, or for use in part or its entirety in another location and includes but is not limited to, grains, fruits, and vegetables, wood fiber or timber products; flowering and foliage plants and trees; seedlings and transplants; and turf grass produced for sod. "Agricultural plant" does not include pasture or rangeland used for grazing.

Victor De Masi, Conservation Chair for Connecticut Butterfly Association

He is alarmed at the exposure of children to Neonicotinoids and the declines in butterfly and pollinator insect populations.

Elizabeth Dempsey, Director, Conservation Coalition

Ask that the bill language is amended to achieve the goal of updating our Pollinator Pathways Act of 2016.

Sarah Evans, PhD MPH, Assistant Professor, Icahn School of Medicine at Mount Sinai

The risks of Chlorpyrifos and Neonicotinoid exposure to human health far outweigh the benefits. Children are uniquely vulnerable to the harmful effects of pesticides.

Sigrun N. Gadwa, MS, Chair, CBS Ecology & Conservation Committee

They support SB 120, after the minor JFS modifications to the bill language suggested by "Beyond Pesticides". Its important to allow the use for veterinary and research purposes.

Ann Gadwah, Advocacy and Outreach Organizer, Sierra Club Connecticut

The Sierra Club believes we must ban both chemicals from golf courses and nonagricultural use to protect Connecticut's resident's health, wildlife, and ecosystems.

Dennis L. Kern, President, Berlin Land Trust, Inc.

Support the restricted use of Neonicotinoid insecticides and the complete prohibition of chlorpyrifos to protect the Mattabassett River.

Annie Hornish, Connecticut Senior State Director, The Humane Society of the US

Bans on Chlorpyrifos and Neonicotinoids will protect pollinators and wildlife, as well as people and their pets.

Sarah Hutchison, Steering Committee Chairperson, Weston Pollinator Pathway

Scientific studies have linked chlorpyrifos to brain damage in children, autism, cancer, Parkinson's disease. Neonicotinoids frequently show up in state water testing, including 30% of Long Island groundwater samples.

Robert LaFrance, Diretor of Policy, Audubon Connecticut, National Audubon Society

They Support Section 1 which proposes to prohibit the use of Chlorpyrifos on any golf course Or for any cosmetic or nonagricultural use and Section 2 to classify all neonicotinoids that are labeled or nonagricultural use, as restricted use pesticides.

Mary Ellen Lemay MBA, MEM, Director, Landowner Engagement Aspetuck Land Trust

The organizations that she helps are joining farmers, public health advocates, environmentalists and concerned citizens of CT supporting the ban of Chlorpyrifos and further restrict the use of Neonicotinoids.

Jason Patlis, President and CEO, The Maritime Aquarium

Exposed animals are at increased risks for predation – which significantly affects the survival of those species. NOAA and NMFS notes that many animals protected by the Endangered Species Act are likely to be affected by these Chemicals. For Long Island Sound, animals that are expected to experience a reduction in abundance and productivity include shortnose sturgeon, Atlantic sturgeon and all of the endangered sea turtle summer visitors.

Scott Smith, Communications Director, Friends of Animals

Connecticut is part of the Long Island Sound Study which determined that pesticides and fertilizers washed off streets, farms and lawns can harm marine life while nutrients from these sources can over fertilize the Sound leading to lower oxygen concentrations

NATURE AND SOURCES OF OPPOSITION:

Peter Gorman, President, Connecticut Environmental Council

It was not his intention to defend the use of chlorpyrifos or neonicotinoids but to defend the regulatory framework established under the FIFRA and oppose restrictions of individual pest control products through legislative action.

Donna Hamzy Carrocia, Advocacy Manager of CCM

CCM appreciates the intent of SB 120 but believes it the task of DEEP to regulate and manage the use of these and other products.

Michelle L. Kopa, Director, State Government Relations & Public Policy Household & Commercial Products Association

SB 120 will restrict the use of pesticides that contain an active ingredient belonging to the neonicotinoid class of insecticides. The bill would indiscriminately limit access to a wide range of consumer products, which will harm Connecticut residents and impact their ability to protect their homes and outdoor perimeters with safe and affordable products used against a variety of public health pests.

Lawn Doctor of New Haven County, Litchfield County, Northern Fairfield County

The products included in SB 120 are currently in the final stages of review by the Biden EPA as part of regulatory framework established under the FIFRA. This review process ensures that all registered products "will not generally cause unreasonable adverse effects on the environment". They encourage the legislature to fully fund DEEP and support their efforts to effectively monitor, manage and enforce pesticide regulations.

Robert H. Mann, Director of State & Government Relations National Association Of Landscape Professionals

Usage of chlorpyrifos on golf courses is limited to discreet areas of concern, not blanket applied to the entire course. Further, applications are performed by highly trained and credentialed turfgrass professionals. The EPA's 2006 registration decision that the risk of exposure to children on golf course turf is not of concern. Neonicotinoid language seems to be redundant with the status quo as of 2018 whereupon neonicotinoids were treated as restricted use products.

Jeffrey T. Miller, President & Executive Director, Treated Wood Council

The term "neonicotinoid" generally includes several pesticide subgroups, such as "imidacloprid", which is also used as a component in several wood preservative pesticides. TWC members use these pesticides to treat dimensional lumber. These pesticides are only used either within a sealed steel cylinder or inside an enclosed building at a secure facilities by a trained technician, and are not sold or distributed to the public. You could include an exclusion for "wood preservative pesticides" in the definition of "neonicotinoids" as defined .

Stenio Pesarini, Lawn Doctor of Hartford-Manchester

Support an amendment that would make neonic products restricted use, thereby allowing certified applicators to continue utilizing such products on turf, trees and ornamental plants.

Ronald B. Phillips, Senior Vice President, Policy, Animal Health Institute

Asking that animal flea and tick products be exempt from SB 120 which are approved by EPA.

Susan G. Pronovost, Executive Director, Connecticut Greenhouse Growers Association

Some of our members are also members of the CT Beekeepers Association. "Bee School" was just held during the month of February where it was revealed-by nationally recognized bee entomologists- that some of the main causes of pollinator losses are due to poor handling practices by their human keepers and loss of forage- especially as climate change has influenced the life cycles of some pollinator plants and insects. There exists no conclusive proof carried out through US government trials that these chemicals harm pollinator species.

Kimberly Stoner, Agricultural Scientist at the Connecticut Agricultural Experiment Station

Need to work with the Environment Committee on legislation that would protect pollinators by reducing threats from pesticides and also from parasites and pathogens, and by maintaining and creating high quality habitat. Recommendations highlight the need for evaluating pesticides based on their whole range of risks and benefits by re-establishing the Pesticide Advisory Council which already exists in the state statutes. We recommend setting up an electronic system of reporting pesticide applications.

Riley Titus, Director, State Government Affairs, CropLife America

There is an existing regulatory process in place for changes or modifications to pesticides. This bill would undermine this existing regulatory process and expertise and authority of DEEP and EPA, agencies qualified and equipped for review and evaluation of pesticide products.

Reported by: Judith Ganswindt

Date: March 22, 2022