
OLR Bill Analysis

sSB 963

AN ACT CONCERNING NEONICOTINOIDS FOR NONAGRICULTURAL USE.

SUMMARY

This bill generally prohibits, beginning January 1, 2024, selling, possessing, or using a pesticide that has any neonicotinoid (see BACKGROUND). The bill exempts the following from the ban:

1. use on agricultural plants;
2. use to eliminate an invasive invertebrate pest if the Department of Environmental Protection (DEEP) commissioner, after consulting with the Connecticut Agricultural Experiment Station's (CAES) director, determines that there is no effective available alternative; and
3. any neonicotinoid that is not labeled for plant use such as those for pet care, veterinary purposes, or for indoor or structural pest control.

The bill authorizes the commissioner to assess a civil penalty of up to \$2,500 per violation to anyone who violates the ban.

EFFECTIVE DATE: October 1, 2023

AGRICULTURAL PLANTS

Under the bill, an "agricultural plant" is a plant or plant part that is grown, maintained, or produced for commercial purposes, such as for sale or trade, research or experiments, or use (in whole or part) in another location. It includes things like a grain, fruit, vegetable, wood fiber or timber product, flowering or foliage plant or tree, seedling, transplant, or turf grass for sod.

It excludes from the definition pasture or rangeland for grazing.

INVASIVE INVERTEBRATE PESTS

The bill allows the CAES director to consult with the Pesticide Advisory Council to determine if a pesticide is the only effective control option available for an invasive invertebrate pest.

Under the bill, this pest is any invertebrate species, including its eggs or other biological material that can propagate the species, that also:

1. is regulated or under quarantine by CAES or the U.S. Department of Agriculture or
2. occurs outside of its Level III ecoregion (i.e., an area defined by the U.S. Environmental Protection Agency (EPA) based on things like geology, vegetation, soils, and hydrology) and is, or threatens to be, a substantial pest to plants of economic importance, an environmental harm, or harmful to human, animal, or plant health.

BACKGROUND

Neonicotinoid

By law, a neonicotinoid is a pesticide that selectively acts on an organism's nicotinic acetylcholine receptors (i.e., impacts the nervous system), including clothianidin, dinotefuran, imidacloprid, thiamethoxam, and any other pesticide that the DEEP commissioner, after consulting with CAES, determines will kill at least 50% of a bee population when up to two micrograms of it is applied to each bee (CGS § 22-61k). Neonicotinoids that are labeled for treating plants are "restricted use," and may only be applied by someone certified under state law to do so or by someone that person supervises. Neonicotinoids are currently under review by the EPA.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 27 Nay 6 (03/10/2023)