



General Assembly

**Amendment**

February Session, 2024

LCO No. 4870



Offered by:

REP. GRESKO, 121<sup>st</sup> Dist.

SEN. HARDING, 30<sup>th</sup> Dist.

To: Subst. House Bill No. 5219

File No. 169

Cal. No. 143

**"AN ACT CONCERNING STANDARDS FOR THE SPRAYING OF  
HERBICIDES ALONG RAILROAD RIGHT-OF-WAYS."**

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- 1 In lines 69, 71 and 78, strike "the Zone A of"
- 2 In lines 76 and 77, strike "Zone A" and insert "such source" in lieu  
3 thereof
- 4 In lines 89 and 99, strike "selectively"
- 5 In line 95, strike "certified" and after "pool" insert "identified by any  
6 municipal inland wetlands agent"
- 7 In line 96, strike "certified" and insert "such" in lieu thereof
- 8 After the last section, add the following and renumber sections and  
9 internal references accordingly:
- 10 "Sec. 501. (NEW) (*Effective October 1, 2024*) (a) For purposes of this  
11 section, "second-generation anticoagulant rodenticide" means any

12 pesticide product containing any one of the following active  
13 ingredients: (1) Brodifacoum; (2) bromadiolone; (3) difenacoum; or (4)  
14 difethialone.

15 (b) Not later than January 1, 2025, the Commissioner of Energy and  
16 Environmental Protection shall classify all second-generation  
17 anticoagulant rodenticides for restricted use.

18 (c) On and after January 1, 2026, no person, other than a person  
19 registered as a pesticide distributor pursuant to section 22a-56 of the  
20 general statutes, shall distribute or sell a second-generation  
21 anticoagulant rodenticide to any person in the state.

22 (d) On and after July 1, 2025, no person shall apply second-generation  
23 anticoagulant rodenticides in the state unless such person is (1) a  
24 pesticide applicator with a private applicator certification or commercial  
25 supervisor certification issued pursuant to section 22a-54 of the general  
26 statutes; (2) an individual under the direct supervision of a certified  
27 private applicator; or (3) a pesticide applicator with commercial  
28 operator certification under the direct supervision of a commercial  
29 supervisor permitted pursuant to section 22a-54 of the general statutes.  
30 Any person meeting such certification standards shall apply second-  
31 generation anticoagulant rodenticides in a manner consistent with  
32 industry standards for integrated pest management and in a manner  
33 that is consistent with all otherwise applicable federal and state laws  
34 and regulations, for the following uses only:

35 (A) For the purpose of protecting any public utility or transportation  
36 infrastructure and facilities;

37 (B) By the order of a director of health, to protect the public health;

38 (C) For the eradication of nonnative invasive species found to be  
39 present;

40 (D) For the eradication of invasive rodent populations or the  
41 protection of threatened or endangered species or the habitats of such

42 species;

43 (E) To control an actual or potential rodent infestation associated with  
44 a public health need, as determined by a supporting declaration from  
45 the Commissioner of Public Health or a director of health. For purposes  
46 of this subdivision, "public health need" means an urgent, nonroutine  
47 situation posing a significant risk to human health in which it is  
48 documented that other rodent control alternatives, including  
49 nonchemical alternatives, are inadequate to control the rodent  
50 infestation;

51 (F) In any of the following locations: (i) A medical waste generator;  
52 or (ii) any facility registered annually and subject to inspection under  
53 Section 510 of the federal Food, Drug and Cosmetic Act, 21 USC 360 et  
54 seq., and that is compliant with the federal Insecticide, Fungicide and  
55 Rodenticide Act, 7 USC 135 et seq.; or

56 (G) For agricultural activity on land that produces agricultural  
57 commodities from which gross sales in excess of ten thousand dollars  
58 were realized or can reasonably be expected to be realized during any  
59 calendar year. For purposes of this subdivision, "agricultural activities"  
60 includes activities conducted in any of the following locations:

61 (i) A warehouse used to store foods for human or animal  
62 consumption;

63 (ii) An agricultural food production site, including, but not limited to,  
64 a slaughterhouse or cannery;

65 (iii) A factory, brewery, winery or distillery;

66 (iv) An agricultural production site housing water storage and  
67 conveyance facilities; or

68 (v) An agricultural production site housing rights-of-way and other  
69 transportation infrastructure.

70 (e) On and after July 1, 2026, the Commissioner of Energy and

71 Environmental Protection may enforce the provisions of this section.  
72 Such enforcement shall be conducted pursuant to chapter 441 of the  
73 general statutes and shall be contingent upon the appropriation of funds  
74 to the Department of Energy and Environmental Protection for such  
75 purpose.

76 (f) Any state action required pursuant to this section for the  
77 authorized use of a second-generation anticoagulant rodenticide, in  
78 accordance with the provisions of this section, shall be performed within  
79 available resources."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>October 1, 2024</i>	New section