OLR Bill Analysis
HB 7346

AN ACT PROHIBITING THE USE OF CERTAIN ORGANOPHOSPHATES.

SUMMARY

This bill prohibits, beginning January 1, 2020, the sale, distribution, use, or application of the pesticide chlorpyrifos. It subjects anyone who violates the ban to a fine of up to $1,000, up to 30 days in jail, or both.

The bill also allows the Department of Energy and Environmental Protection (DEEP) commissioner to enforce the ban in accordance with her existing authority under the state’s pesticide control law (CGS § 22a-46 et seq.). By law, DEEP regulates pesticide registration, sale, and application, and the certification of pesticide applicators.

Among other things, the law gives the DEEP commissioner the authority to do inspections, revoke or suspend certifications, and take court action through the Attorney General. Existing law, unchanged by the bill, also subjects those who knowingly violate the state’s pesticide laws to criminal fines of up to $5,000, up to one year in jail, or both. Violators of the pesticide laws may also be subject to civil penalties of up to $2,500 per day that violations continue (CGS § 22a-63).

EFFECTIVE DATE: January 1, 2020

BACKGROUND

Chlorpyrifos

Chlorpyrifos is a “restricted use” organophosphate pesticide used mainly to control foliage and soil-borne insect pests on various crops, as well as on such things as golf courses, turf, and utility poles.

By law, because chlorpyrifos is a restricted use pesticide, it may only
be applied by someone certified under state law to do so, or by someone directly supervised by a certified individual. Restricted use pesticides are those classified by the federal Environmental Protection Agency (EPA) or DEEP as they may cause unreasonable adverse health or environmental effects. Chlorpyrifos’ product label requires those who use it to wear additional protective equipment and restrict access to treated areas for at least 24 hours.

EPA cautions users that chlorpyrifos can cause cholinesterase inhibition (i.e., nervous system overstimulation) and neurodevelopmental effects at high enough doses. There is an ongoing review and assessment of the pesticide’s registration, which EPA expects to complete by October 1, 2022.

COMMITTEE ACTION

Environment Committee

Joint Favorable
Yea 27  Nay 2  (03/25/2019)