



General Assembly

February Session, 2022

Raised Bill No. 239

LCO No. 1506



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT PROHIBITING THE USE OF CERTAIN RODENTICIDES FOR THE PROTECTION OF HAWKS, RAPTORS AND OTHER WILDLIFE.

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

1 Section 1. (NEW) (*Effective October 1, 2022*) (a) For purposes of this
2 section:

3 (1) "Second generation anticoagulant rodenticide" means any
4 pesticide product containing any of the following active ingredients:

5 (A) Brodifacoum;

6 (B) Bromadiolone;

7 (C) Difenacoum; or

8 (D) Difethialone.

9 (2) "Wildlife habitat area" means any state park, state wildlife refuge,
10 state forest or state conservancy.

11 (b) Notwithstanding the provisions of subsection (c) of this section,

12 the use of any second generation anticoagulant rodenticide is prohibited
13 in a wildlife habitat area.

14 (c) The use of any second generation anticoagulant rodenticide is
15 prohibited in this state until the Commissioner of Energy and
16 Environmental Protection adopts regulations pursuant to subsection (g)
17 of this section.

18 (d) The Department of Energy and Environmental Protection shall
19 encourage federal agencies in the state to comply with the provisions of
20 subsections (b) and (c) of this section.

21 (e) The provisions of this section shall not apply to any of the
22 following uses:

23 (1) The use of second generation anticoagulant rodenticides by any
24 state employee who uses second generation anticoagulant rodenticides
25 for public health activities in accordance with any provision of the
26 Public Health Code and in furtherance of such employee's duties;

27 (2) The use of second generation anticoagulant rodenticides when
28 used by any state employee for the purposes of protecting water supply
29 infrastructure and facilities in a manner that is consistent with all
30 otherwise applicable federal and state laws and regulations and in
31 furtherance of such employee's duties;

32 (3) The use of second generation anticoagulant rodenticides by a
33 director of health to control mosquito or vector breeding areas in order
34 to protect the public health;

35 (4) The use of any second generation anticoagulant rodenticides for
36 the eradication of nonnative invasive species inhabiting or found to be
37 present on offshore islands in a manner that is consistent with all
38 otherwise applicable federal and state laws and regulations;

39 (5) The use of any registered second generation anticoagulant
40 rodenticide to control an actual or potential rodent infestation
41 associated with a public health need, as determined by a supporting

42 declaration from the Commissioner of Public Health or a director of
43 health. For purposes of this section, "public health need" means an
44 urgent, nonroutine situation posing a significant risk to human health
45 in which it is documented that other rodent control alternatives,
46 including nonchemical alternatives, are inadequate to control the rodent
47 infestation; and

48 (6) The use of any registered second generation anticoagulant
49 rodenticide for research purposes related to the adoption of regulations
50 in accordance with subsection (g) of this section. Before using such a
51 registered second generation anticoagulant in the manner described in
52 this subdivision, a written authorization for research shall be obtained
53 from the Commissioner of Energy and Environmental Protection. The
54 commissioner may specify the conditions under which such research
55 shall be conducted. The commissioner may terminate, amend or refuse
56 to issue an authorization for research if the commissioner makes any of
57 the following determinations:

58 (A) The research may involve a hazard to the environment;

59 (B) The research may be used for purposes unrelated to pesticide data
60 development; or

61 (C) A violation of the authorization for such research or of the
62 provisions of this section has occurred in connection with the research.

63 (f) (1) The provisions of this section shall not apply to the use of
64 second generation anticoagulant rodenticides in any of the following
65 locations:

66 (A) A medical waste generator; or

67 (B) Any facility registered annually and subject to inspection under
68 Section 510 of the Federal Food, Drug, and Cosmetic Act, 21 USC 360 et
69 seq. and that is compliant with the Federal Insecticide, Fungicide, and
70 Rodenticide Act, 7 USC 135 et seq.

71 (2) This section shall not apply to the use of second generation

72 anticoagulant rodenticides for agricultural activity.

73 (3) For purposes of subdivision (2) of this subsection, "agricultural
74 activities" additionally includes activities conducted in any of the
75 following locations:

76 (A) A warehouse used to store foods for human or animal
77 consumption;

78 (B) An agricultural food production site, including, but not limited
79 to, a slaughterhouse or cannery;

80 (C) A factory, brewery or winery;

81 (D) An agricultural production site housing water storage and
82 conveyance facilities; or

83 (E) An agricultural production site housing rights-of-way and other
84 transportation infrastructure.

85 (g) The Commissioner of Energy and Environmental Protection shall
86 adopt regulations, in accordance with the provisions of chapter 54 of the
87 general statutes, to ensure that the continued use of second generation
88 anticoagulant rodenticides is not reasonably expected to result in
89 significant adverse effects to nontarget wildlife. Such regulations shall
90 include, but not be limited to, provisions for the use of such rodenticides
91 if the eradication of invasive rodent populations is necessary for the
92 protection of threatened or endangered species or the habitats of such
93 species.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2022</i>	New section
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Statement of Purpose:

To prohibit the use of certain rodenticides in locations such as state parks and forests for the protection of hawks, raptors and other wildlife that feed upon such rodents.

[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.]